

**ORIGINAL**

Decision No. 71955

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
THOMPSON BROS. FREIGHT FORWARDING	)	
CO., INC., a corporation, to depart	)	Application No. 49099
from the rates, rules and regulations	)	(Filed January 20, 1967)
of Minimum Rate Tariff No. 2, under	)	
the provisions of the Highway	)	
Carriers' Act.	)	

INTERIM OPINION AND ORDER

By this application, Thompson Bros. Freight Forwarding Co., Inc., seeks authority, as a highway permit carrier in connection with certain transportation services to be performed for Procter & Gamble Distributing Company (Procter & Gamble), to: (1) make C.O.D. shipments part of split delivery shipments, (2) be relieved from applying the two-mile additive when split delivery service is performed at more than one point in the same metropolitan zone, incorporated city, extended area or community and (3) assess a charge of 29 cents per 100 pounds for split delivery service in lieu of the charges otherwise applicable.

Applicant also seeks authority to charge less than the minimum rates named in Minimum Rate Tariff No. 2 for the transportation of (1) trisodium phosphate in bulk from Richmond to Sacramento and (2) return shipments of used empty bins from Sacramento to Richmond in connection with the same shipper.

Applicant states that the authority herein sought has, for several years past, been held by Sierra Distributing, Ltd. (Sierra),<sup>1</sup> but that Procter & Gamble recently advised Sierra of the cancellation of their contract. Applicant avers that it has concluded negotiations with Procter & Gamble whereby it will undertake to perform transportation services, which heretofore have been performed by Sierra. Applicant declares that it was incorporated in 1959 and is an affiliate of Thompson Bros., Inc., which has conducted operations in California for many years past as a highway common carrier and as a warehouseman. Applicant asserts that it will commence operations and be prepared to provide to Procter & Gamble by February 1, 1967, the identical services which have heretofore been provided by Sierra.

According to applicant, Procter & Gamble has represented to it that departures from minimum rates, rules and regulations heretofore authorized to Sierra are necessary in order to facilitate the distribution of Procter & Gamble's products with efficiency and dispatch. Applicant avers that the traffic involves revenues in excess of one million dollars per annum and that it is satisfied that, at least until July 1, 1967, when there may be changes in labor rates, it will be able to perform the service at the rates proposed herein with a reasonable profit.

Applicant requests interim authority in this matter in order that it may undertake to perform the transportation services involved as of February 1, 1967, and Procter & Gamble may benefit therefrom without possible interruption of service.

---

<sup>1</sup> Decisions Nos. 71229 and 71247 dated August 30 and September 6, 1966, in Applications Nos. 48621 and 48683, respectively, currently authorize Sierra to depart from certain provisions of General Order 84-F and Minimum Rate Tariff No. 2 in connection with the aforementioned transportation.

The certificate of service shows that a copy of the application was mailed to California Trucking Association on January 20, 1967. The application was listed on the Commission's Daily Calendar of January 24, 1967. No objection to the granting of the application has been received.

Subject to further review upon consideration of evidence which may be adduced at a public hearing, it appears, and the Commission finds that the rates and provisions sought herein are reasonable for the transportation to be performed by Thompson Bros. Freight Forwarding Co., Inc. In view of the existing conditions, the Commission concludes that Thompson Bros. Freight Forwarding Co., Inc., should be granted interim authority for a period of six months. A future hearing will be scheduled in this proceeding.

IT IS ORDERED that:

1. Thompson Bros. Freight Forwarding Co., Inc., is hereby authorized to assess a charge for split delivery service less than the minimum charges otherwise applicable and to depart from the provisions of the minimum rate orders otherwise applicable as more particularly set forth in Appendix A attached hereto and by this reference made a part hereof.

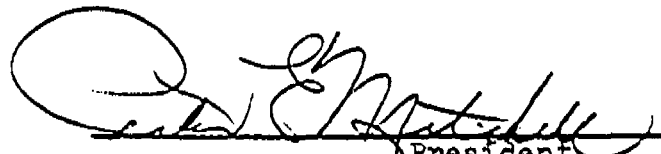
2. Thompson Bros. Freight Forwarding Co., Inc., is hereby authorized to transport trisodium phosphate, chlorinated or not chlorinated, in shipper-owned bins of not less than 60 cubic feet capacity, and used empty bins, returning, for Procter & Gamble at rates less than the established minimum rates but not less than those set forth in, and subject to the provisions specified in, Appendix B attached hereto and by this reference made a part hereof.


3. The authority granted herein shall expire six months after the effective date of this order.

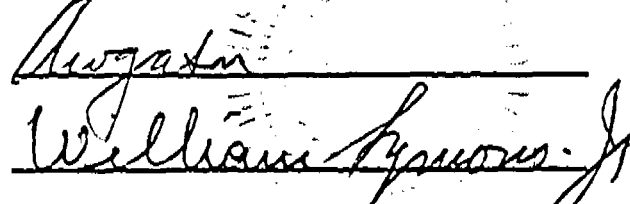
4. A public hearing shall be scheduled in this proceeding for the receipt of evidence on this application.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 31<sup>st</sup> day of January, 1967.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Augustin

  
\_\_\_\_\_  
Fred P. Morrison  
Commissioners

APPENDIX A TO DECISION NO. 71955

The authority herein granted applies only in connection with property transported by Thompson Bros. Freight Forwarding Co., Inc. (hereinafter called "the carrier") for the Procter & Gamble Distributing Company, from that company's plant at Sacramento to points in

California north of a line running easterly-westerly through the Cities of King City and Fresno, points in Fresno County on and south of said line and points in Kings and Tulare Counties.

1. The carrier is authorized, in connection with split delivery shipments originating at Sacramento, to apply an additional charge of 29 cents per 100 pounds in lieu of the split delivery charge set forth in Item No. 171 of Minimum Rate Tariff No. 2. This charge shall be made in addition to the line haul rate.

2. The carrier is authorized, in connection with split delivery shipments originating at Sacramento, to not apply the EXCEPTION to subparagraph (a) of Item No. 170 of Minimum Rate Tariff No. 2.

3. The carrier is authorized to make collect on delivery (C.O.D.) shipments part of split delivery shipments when handled by it as a highway contract carrier, a city carrier, or a radial highway common carrier.

(End of Appendix A)

Appendix B to Decision No. 71955

## THOMPSON BROS. FREIGHT FORWARDING CO., INC.

- ITEM COMMODITIES: Trisodium phosphate, chlorinated or not  
1. chlorinated, in shipper owned bins of not less than 60 cubic feet capacity.
- FROM : Richmond, California.
- TO : The Procter & Gamble Company plant, Sacramento, California.
- RATE : 28 cents per 100 pounds.
- MINIMUM : 45,000 pounds per shipment. Rate applies to the combined weight of the commodity and bins. The weight of the bins must be shown separately on the bill of lading and may not be used to make up the minimum weight of the shipment.
- 
- ITEM COMMODITIES: Used empty BINS, not nested, for return paying  
2. load of Commodity in Item 1.
- FROM : The Procter & Gamble Company plant, Sacramento, California.
- TO : Richmond, California.
- RATE : 50% of 4th Class rate but not less than 32 cents per 100 pounds.
- MINIMUM : 2,000 pounds per shipment
- 
- ITEM LOADING AND UNLOADING CARRIER'S EQUIPMENT:  
3. The loading and unloading of carrier's equipment will be performed by the shipper's lift trucks. One hour free time will be allowed for loading and one hour free time will be allowed for unloading bins commencing from the time carrier's equipment is placed at the designated loading or unloading place. Delay in excess of free time will be charged for as provided in Item No. 145 of Minimum Rate Tariff No. 2.
- 
- ITEM  
4. All other provisions of Minimum Rate Tariff No. 2 are to apply.

(End of Appendix B)