

ORIGINAL

Decision No. 72035

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)	
of William Doran, an individual,)	
Doing Business As: DIAMOND SERVICE,)	Application No. 49117
under Section 3666 of the Public)	(Filed January 30, 1967)
Utilities Code, for an order per-)	
mitting departure from the pro-)	
visions of Minimum Rate Tariff No. 7.))	

OPINION AND ORDER

William Doran, doing business as Diamond Service, operates as a highway contract carrier. By Decision No. 70820 dated June 8, 1966, in Application No. 48371, he was authorized to assess rates different from those set forth in Minimum Rate Tariff No. 7 for the transportation of asbestos ore in bulk in dump truck equipment for Union Carbide Corporation from a mine near Condon Peak (San Benito County) to the shipper's plant near Welby (Monterey County).

The above authority, which expired January 31, 1967, permitted applicant to (1) assess, in lieu of the hourly rates otherwise applicable, rates of \$3.22 and \$3.50 per ton, minimum weight 24 tons per shipment, when loading was performed by the shipper and carrier, respectively, in connection with the above transportation and (2) to pay \$2.90 per ton, minimum weight 24 tons, to subhaulers when they were used to perform such transportation service. By this application, he seeks to assess the aforementioned tonnage rates for the same transportation for the same shipper for a one-year period and to pay to subhaulers the amount per ton hereinbefore mentioned when he uses them to perform the transportation service.

Applicant requests that the decision in this matter be made effective prior to March 1, 1967, the date operations are to commence.

Applicant states that the asbestos ore is unprocessed, in its crude state, relatively dense and low in value. Applicant alleges that the ore is readily scooped or shoveled and loaded into open-top, hopper-bottom vehicular trailers, which have a maximum capacity load limit. According to applicant, the consignor loaded all of the equipment used in the involved transportation service in the past year.

Applicant proposes to use more owned equipment and employ fewer subhaulers during 1967 and declares that, upon completion of certain road construction which is in progress in the area involved herein, a better use factor will be obtained thereby reducing his overall running cost.

Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable during the ensuing year.

The certificate of service shows that a copy of the application was mailed to California Trucking Association on January 28, 1967. The application was listed on the Commission's Daily Calendar of January 31, 1967. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable. A public hearing is not necessary. The Commission concludes that the application should be granted.

In view of the impending commencement date for the proposed service, the order which follows will be made effective February 28, 1967.

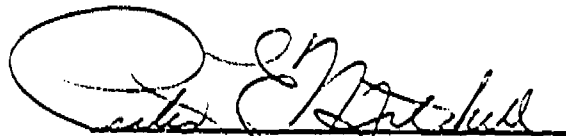
IT IS ORDERED that:

1. William Doran is authorized to depart from the provisions of the minimum rate orders otherwise applicable to the service, which he performs for Union Carbide Corporation to the extent specifically provided in Appendix A attached hereto and by this reference made a part hereof and to assess rates less than the minimum rates otherwise applicable for such service but not less than the rates set forth, and subject to the conditions shown, in said Appendix A.


2. The authority granted herein shall expire with February 28, 1968, unless sooner canceled, modified or extended by order of the Commission.

The effective date of this order shall be February 28, 1967.

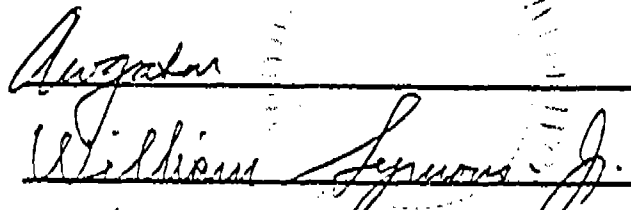
Dated at San Francisco, California, this 15th day of February, 1967.



President



August 1967



Chief P. Morrison

Commissioners

APPENDIX A TO DECISION NO. 72035

William Doran
(doing business as Diamond Service)
Schedule of Minimum Rates for the
Transportation of Asbestos Ore for
Union Carbide Corporation

Section 1

Item 10 - Application of Rates - General

The minimum rates and rules set forth in Minimum Rate Tariff No. 7 are applicable to the transportation of asbestos ore, except as specifically provided in Sections 2 and 3.

Section 2

Item 20 - Rates in this section apply to the transportation of asbestos ore in bulk in dump truck equipment from a mine near Condon Peak (San Benito County) to the plant of Union Carbide Corporation near Welby (Monterey County).

Item 30 - Minimum Weight

The rates in this section are subject to a minimum weight of 24 tons per shipment. The minimum weight shall be transported in one unit of equipment at one time.

Item 40 - Commodity Rates

Rates applicable when carrier's equipment is loaded by:

	<u>Rate Per Ton</u>
Consignor	\$ 3.22
Carrier	3.50

Section 3

Item 50 - Payments to Subhaulers

When subhaulers are used to perform the transportation service at rates other than 95 percent of the applicable hourly minimum rates, such subhaulers shall receive from Diamond Service not less than \$2.90 per ton, minimum weight 24 tons.

(End of Appendix A)