

ORIGINAL

Decision No. 72522

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)	
of)	
A. W. HAYS TRUCKING, INC.,)	
a corporation,)	Application No. 49339
)	(Filed May 2, 1967)
for authority to depart from minimum)	
rates in connection with certain)	
transportation to be performed for)	
Pacific International Rice Mills, Inc.)	
In the Matter of the Application of)	
A. W. HAYS TRUCKING, INC., a corpora-)	
tion, for authority to depart from)	
minimum rates, rules and regulations)	Application No. 49340
applicable in connection with certain)	(Filed May 2, 1967)
transportation to be performed for)	
PACIFIC INTERNATIONAL RICE MILLS, INC.)	

INTERIM OPINION AND ORDER

A. W. Hays Trucking, Inc., a corporation, is authorized to operate as a radial highway common and highway contract carrier for the transportation of general commodities between points in California.¹ By these applications, it seeks authority to deviate from the Commission's minimum rates for Pacific International Rice Mills, Inc. (Pacific) in connection with: (1) the transportation of paddy rice, in bulk, subject to a minimum weight of 50,000 pounds, from various Sacramento Valley points to Pacific's plant at Woodland and CBC Warehouse near Woodland; (2) the transportation of milled rice, in bulk or in packages loaded on pallets, subject to a minimum

¹ Applicant is also authorized to operate as a cement carrier, petroleum irregular route carrier and city carrier under other operating authorities issued by the Commission.

weight of 50,000 pounds, from Pacific's plant at Woodland to the Port of Sacramento; and (3) the return transportation of the empty pallets to the point of origin.

The applications show that the carrier has served Pacific for a full season for the transportation of paddy rice and it has transported milled rice for Pacific for a number of years. According to applicant, there are facilities at the origin points, the Pacific plant at Woodland and the CBC Warehouse near Woodland, which make it possible to handle paddy rice traffic at costs below those normal to this kind of movement. Applicant states that these points of origin are concentration points from which full truckload lots only are shipped and frequently multiple lots are made available for movement on the same day. Applicant alleges that all of this traffic is destined to a single point, which simplifies the dispatch of equipment and billing and that the most modern and efficient machinery is provided for loading and unloading at the origin and destination points involved. Applicant avers that the favorable circumstances described herein also exist in connection with the transportation of milled rice from Woodland to the Port of Sacramento.

Applicant declares that these favorable conditions have caused the application of the Commission's minimum rates to the above transportation to produce earnings in excess of those which should reasonably be anticipated. Applicant contends that Pacific is aware of this situation and has advised it that, unless the rates are made consistent with the cost for, and a reasonable return on, such transportation, Pacific will procure its own equipment. Applicant believes that Pacific will acquire this equipment and perform the service unless a proper adjustment in the rates is made.

Data submitted by applicant indicate that the proposed rates will be compensatory.

Applicant requests ex parte action in these matters and, in the event that a hearing is necessary, it asks that interim relief be granted for the reason that this traffic is presently moving and it is greatly concerned that it will be able to retain this business pending the date when a hearing may be held.

The certificates of service show that copies of the applications were mailed to California Trucking Association on May 2, 1967. The applications were listed on the Commission's Daily Calendar of May 4, 1967. No objection to the granting of these applications 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 proposed herein are reasonable and consistent with the public interest. In view of the existing conditions, the Commission concludes that applicant should be granted interim authority for a period of six months. A future hearing will be scheduled in these proceedings.

IT IS ORDERED that:

1. A. W. Hays Trucking, Inc., a corporation, is authorized to transport paddy rice in bulk, for Pacific International Rice Mills, Inc., from and to points set forth in Appendix A, attached hereto and by this reference made a part hereof, at rates less than the established minimum rates but not less than those set forth, and subject to the conditions specified, in said Appendix A.

2. A. W. Hays Trucking, Inc., a corporation, is authorized to transport for Pacific International Rice Mills, Inc., milled rice, in bulk and in packages, from Woodland to the Port of Sacramento and empty pallets from the Port of Sacramento to Woodland at rates less than the established minimum rates but not less than those set forth, and subject to the conditions specified in Appendix B, attached hereto and by this reference made a part hereof.

3. The interim authorities granted herein shall expire six months after the effective date of this order unless sooner canceled, modified or extended by order of the Commission.

4. A public hearing shall be scheduled in these proceedings for the receipt of evidence on these applications and final disposition thereof.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 31st day of May, 1967.

Arthur E. Mitchell
President
William B. Brown
Augustus
William Sproule
Geoff P. Morrison
Commissioners

APPENDIX A TO DECISION NO. 72522

A. W. HAYS TRUCKING, INC.

Schedule of Minimum Rates for
the Transportation of Paddy Rice for
Pacific International Rice Mills, Inc.

Rates in cents per 100 pounds

Part 1

Rates in this part are subject to a minimum weight of 50,000 pounds and apply only to the transportation of paddy rice, in bulk from the points named below to the plant of Pacific International Rice Mills, Inc., at Woodland:

From	Rate
Red Top Dryer, Biggs	14.0
Rice Growers Association of California, Merrett Station	5.5
Cadora Warehouse & Dryer, Cadora	14.0
CBC Warehouse	3.0
Woodland Warehouse, Woodland	4.0
Hi & Dry Warehouse, Sutter	13.5
Farmers Rice Co-op Warehouse & Dryer, Stegeman	14.0
Zumwalt Dryer & Warehouse, Colusa	12.5
Sacramento River Warehouse, Colusa	12.5
Sacramento River Warehouse Co., Grimes	10.5
Heidrick's Dryer	4.0
Boemans Rice Dryer	4.0
Darrell Day Warehouse	5.0
Arbuckle Warehouse and Rice Dryer	9.5
Fredrick Strain Dryer	9.0
Dettling Bros. Dryer & Warehouse	6.0
Tyndall Mound Warehouse & Dryer	7.0
Sutter Basin Growers Co-op Warehouse & Dryer	6.5
Collins & Story Warehouse & Dryer	7.0
Shannon Dryer	10.5
Pfister Rice Dryer	15.5
Colusa Glen Drier	10.5

Part 2

Rates in this part are subject to a minimum weight of 50,000 pounds and apply only to transportation of paddy rice, in bulk,, from origins named below to destinations named below:

Origin	Destination	Rate
Plant of Pacific International Rice Mills, Inc., Woodland	CBC Warehouse, Intersection Kentucky Road and Yolo County Road 101, near Woodland	3.0
Dettling Bros. Dryer & Warehouse, Intersection Yolo County Road 13 and State Sign Route 113, Yolo County	CBC Warehouse, Intersection Kentucky Road and Yolo County Road 101, near Woodland	6.5

(End of Appendix A)

APPENDIX B TO DECISION NO. 72522

A. W. HAYS TRUCKING, INC.

Schedule of Minimum Rates for Transportation of Milled Rice, in Bulk and in Bags and Packages, for Pacific International Rice Mills, Inc.

Rates in cents per 100 pounds,

- A. Rates in this section apply to transportation of milled rice, only in bulk.

Origin	Destination	Rate ^{1/}
Plant of Pacific International Rice Mills, Inc., at Woodland	Port of Sacramento	7.0

- B. Rates in this section apply to the transportation of milled rice, only in bags and packages and loaded on pallets, and the rates include return to the plant of Pacific International Rice Mills, Inc., at Woodland, California, the empty pallets used to move outbound traffic.

Origin	Destination	Rate ^{1/2/}
Plant of Pacific International Rice Mills, Inc., at Woodland	Port of Sacramento	11.5

- ^{1/} Rates on movement of rice to Port of Sacramento are subject to a minimum weight of 50,000 pounds.
- ^{2/} Inbound pallets transported under this rate must be the same pallets on which outbound traffic moved.

(End of Appendix B)