

ORIGINAL

Decision No. 73929

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application)
of YANDELL TRUCKAWAY, INC., for)
authority to continue to depart)
from the rates in Minimum Rate)
Tariff No. 2, under the provisions)
of Section 3666 of the Public)
Utilities Code of the State of)
California.)

Application No. 50035
(Filed February 21, 1968)

OPINION AND ORDER

Applicant holds radial highway common carrier, highway contract carrier and city carrier permits. By Decision No. 72154 dated March 14, 1967, in Application No. 48893, it was authorized to transport glass bottles, demijohns or jars under specified conditions for Owens-Illinois, Inc., from said company's plant, warehouse and storage sites in Oakland to various destinations at rates one cent per 100 pounds less than the minimum rates otherwise applicable. The authority is scheduled to expire on April 3, 1968. By this application, authority is sought to continue to deviate from the established minimum rates for a further one-year period.

The authority herein in issue was found by the Commission to be reasonable upon the basis of evidence received at a public hearing on December 12, 1966. The evidence showed that the loading of Owens-Illinois, Inc., palletized shipments of glassware into Yandell's trucks had been performed by the carrier's employees using fork lift equipment but that the shipper entered into an agreement with local teamster union representatives in September of 1965

whereby the drivers of its proprietary trucks would perform the loading of applicant's trucks when Yandell was hauling for said shipper. Applicant is notified when loading of its equipment is completed and a driver is then dispatched to tie down the load and commence the transportation service. Applicant maintains a terminal for its truck equipment directly across the street from the Oakland plant of Owens-Illinois, Inc., and the carrier's empty equipment is readily available for loading as needed by the shipper.

Applicant states that circumstances, conditions and mode of operation cited in its original application continue to exist. Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable for the ensuing year.

The certificate of service shows that a copy of the application was mailed to California Trucking Association on or about February 21, 1968. The application was listed on the Commission's Daily Calendar of February 23, 1968. 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 for the transportation involved. A public hearing is not necessary. The Commission concludes that the application should be granted.

In view of the impending expiration date of the current authority, the order which follows will be made effective April 3, 1968.

IT IS ORDERED that:

1. Yandell Truckaway, Inc., a corporation, is authorized to transport glass bottles, demijohns or jars, other than cut, with

or without their equipment of caps, covers, stoppers or tops, for Owens-Illinois, Inc., from said company's plant, warehouse and storage sites at Oakland to destinations located in northern, central and southern California at rates less than the minimum rates, but not less than one cent per 100 pounds less than the otherwise applicable class rates contained in Minimum Rate Tariff No. 2, subject to the following conditions:

(a) Minimum Weight per shipment (per unit of carrier's equipment used) shall be not less than 20,000 pounds.

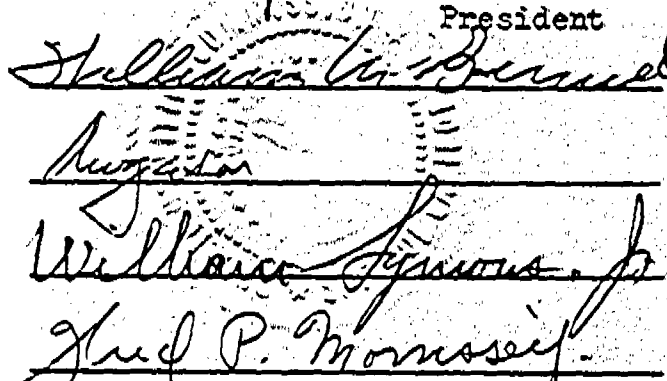
(b) Shipments shall be palletized and loaded with power equipment, as defined in Minimum Rate Tariff No. 2, by Owens-Illinois, Inc., without the assistance of, and any expense to, the carrier.

(c) Shipments shall be restricted to those moving under the otherwise applicable class rates named in Minimum Rate Tariff No. 2.

2. The authority herein granted shall, on and after April 3, 1968, supersede the authority granted by Decision No. 72154 and shall expire with April 3, 1969.

The effective date of this order shall be April 3, 1968.

Dated at San Francisco, California, this 2nd day of April, 1968.


John E. Mitchell
President
William G. Bernard
Augustin
William Ferguson, Jr.
Paul P. Morrissey
Commissioners