

ORIGINAL

Decision No. 74475

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of AMERICAN TRANSFER CO., a)
Corporation, under Section 3666)
of the Public Utilities Code of)
the State of California, for)
Authority to Charge Rates Less)
Than Those Prescribed in Minimum)
Rate Tariff No. 7 for the Trans-)
portation of Crushed Dolomite Rock)
from Natividad to Fresno,)
California, for the Account of)
PITTSBURGH PLATE GLASS COMPANY)

Application No. 50395
(Filed July 17, 1968)

OPINION AND ORDER

American Transfer Company, a corporation, holds a highway contract carrier permit. By Decision No. 72777 dated July 18, 1967, in Application No. 48874, applicant was authorized to transport crushed dolomite rock in bulk, in hopper trucks, from the quarry of Kaiser Refractories located in Natividad to the plant of Pittsburgh Plate Glass Company (Pittsburgh) located in the vicinity of Fresno at a less-than-minimum rate of \$3.80 per net ton, minimum weight 28 net tons per shipment. The current authority expired July 18, 1968. By this application, authority is sought to assess the same rate for the transportation service hereinbefore described for another one-year period.

By Decision No. 72777, supra, the rate was found by the Commission to be reasonable upon the basis of evidence received at a public hearing. The evidence showed that the carrier uses a tractor and two hopper trailers. The average weight is slightly over 58,000 pounds and a round trip is made within eight hours, including one-half hour each for loading and unloading. The shipper

has overhead bins and chutes which feed by gravity flow into the trucks at origin and the consignee has below-ground-level receiving hoppers over which the trucks drive to discharge the entire contents of both trailers at destination.

Applicant alleges that the character of the transportation is such that it is attractive tonnage for either for-hire or proprietary movement and that the extension of the less-than-minimum rate authority is necessary in order to prevent diversion of the aforementioned transportation to proprietary service.

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

The certificate of service shows that a copy of the application was served on California Trucking Association on July 8, 1968. The application was listed on the Commission's Daily Calendar of July 18, 1968. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rate is reasonable for the transportation service involved. A public hearing is not necessary. The Commission concludes that the application should be granted.

In view of the fact that the current authority expired with July 18, 1968, the order which follows will be made effective on the date hereof.

IT IS ORDERED that:

1. American Transfer Company is hereby authorized to transport crushed dolomite rock for Pittsburgh Plate Glass Company between the points set forth in Appendix A, attached hereto and

by this reference made a part hereof, at a rate less than the established minimum rate but not less than that set forth, and subject to the conditions shown, in said Appendix A.

2. The authority herein granted shall expire one year after the effective date of this order, unless sooner canceled, modified or extended by order of the Commission.

3. If, during the time in which said rate is in effect, any shipments embraced by said Appendix A are transported for account of American Transfer Company by a subhauler or subhaulers said subhauler or subhaulers shall be paid the minimum rate or rates provided in Minimum Rate Tariff No. 7.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 30th day of July, 1968.

William Synovis Jr.
President

William L. Bennett

Fred P. Monissey
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A TO DECISION NO. 74475

AMERICAN TRANSFER COMPANY

Commodity: Crushed dolomite rock, in hopper trucks.
From: Kaiser Refractories Quarry, Natividad.
To: Pittsburgh Plate Glass Company, 3333 South
Peach Avenue, in the vicinity of Fresno.
Rate: \$3.80 per net ton.
Minimum Weight: 28 net tons per shipment.

Note: The shipments for which this authorization is provided shall, in all other respects, be subject to the provisions of Minimum Rate Tariff No. 7.

(End of Appendix A)