

ORIGINALDecision No. 75193

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Lorin J. McCorkindale)
 (doing business as J. L. McCorkindale)
 Trucking) for relief from Minimum
 Rate Tariff No. 10 as amended by
 Fifth Revised Page 6, effective
 October 1, 1964, subparagraph b.

Application No. 50747
 (Filed December 12, 1968)

OPINION AND ORDER

Lorin J. McCorkindale, doing business as J. L. McCorkindale Trucking, holds operating authority from this Commission as a cement carrier and radial highway common carrier. By Decision No. 73574, dated January 3, 1968, in Application No. 49848, he was authorized, as a cement carrier, to depart from the Commission's minimum rates by publishing a tariff provision permitting the transportation of 42 sacks or less of cement, in lieu of 5 sacks or less, in mixed shipments with cement in bulk on bulk equipment from any and all points of origin to 7 specified delivery points in Los Angeles County.^{1/} The current authority is published to expire with January 31, 1969. By this application, authority is sought to continue to publish this mixed shipment provision.

Applicant states that he operates 10 units of trucking equipment for the handling of bulk cement, each unit consisting of a tractor and two hopper trailers. On one such trailer he has

^{1/} Applicant's tariff rule, dealing with mixed shipments of sacked and bulk cement, is published in Item No. 2180 of Local Freight Tariff No. 17, Cal.P.U.C. No. 21, of Western Motor Tariff Bureau, Inc., Agent.

placed a specially designed metal box with a capacity of 42 sacks of cement. The box is so constructed as to form a ramp when the door is lowered, which permits hand-trucking of the sacks directly into the box. The special equipment used by applicant was devised at a shipper's request to meet its requirements and provides a safer method of transporting limited quantities of sacked cement on bulk cement trailer equipment.

Applicant alleges that the circumstances surrounding the transportation service involved have not changed since the time of the filing of the original application for such authority and that such circumstances justify the need for continuance of the tariff relief sought herein.

Applicant's affidavit of service shows that a copy of the application was served by mail on Western Motor Tariff Bureau, Inc., and California Trucking Association on December 11, 1968. The trucking association advised that it has no objection to the ex parte consideration requested in the application. The application was listed on the Commission's Daily Calendar of December 16, 1968. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that applicant's proposal is reasonable and justified by transportation conditions. A public hearing is not necessary. The Commission concludes that the application should be granted. However, as the conditions surrounding the transportation involved may change, the authority will be granted for a period of one year to expire with January 31, 1970.

IT IS ORDERED that:

1. Lorin J. McCorkindale is hereby authorized to publish and file, to expire with January 31, 1970, tariff provisions authorizing the transportation of not to exceed 42 sacks of cement on bulk equipment (other than pneumatic equipment), in connection with mixed shipments of cement in sacks and in bulk from any and all points of origin to Hollywood, Inglewood, Irwindale, Long Beach, Los Angeles, Pasadena and Sun Valley.

2. Tariff publications authorized to be made as a result of the order herein may be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and to the public.

This order shall become effective ten days after the date hereof.

Dated at San Francisco, California, this 14th day of JANUARY, 1969.

William Synors, Jr.
President
Augustus
And P. Monissey

Commissioners

Commissioner Y. P. WIKASDI, JR.
Present but not participating.

Commissioner THOMAS MORAN
Present but not participating.