

**ORIGINAL**Decision No. 75329

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation  
 into the rates, rules, regulations,  
 charges, allowances and practices  
 of all common carriers, highway  
 carriers and city carriers relating  
 to the transportation of any and  
 all commodities between and within  
 all points and places in the State  
 of California (including, but not  
 limited to, transportation for which  
 rates are provided in Minimum Rate  
 Tariff No. 2).

Case No. 5432  
 (Petition for Modification  
 No. 527;  
 Filed January 17, 1969)

OPINION AND ORDER

By Decision No. 73783 dated February 27, 1968, Western Gillette, Inc., a corporation, was authorized as a highway common carrier to publish rates of 32-1/2 and 34-1/2 cents per 100 pounds, minimum weight 40,000 pounds, for the transportation of clay, pyrophyllite, silt, soapstone, talc and sand from Laws, Keeler and Olancho to points within a defined Los Angeles area. These rates are lower than the established minimum rates for this transportation and are scheduled to expire with March 11, 1969. By this petition, authority is sought to continue to maintain the currently authorized rates, with modification, for an additional one-year period. Petitioner proposes to increase the above rates of 32-1/2 and 34-1/2 cents to 33-1/2 and 35-1/2 cents per 100 pounds, respectively.

Petitioner alleges that the preponderance of its traffic moves northbound to or through the Bishop area in a ratio of approximately three to one. It is averred that the current authority was sought in order to encourage the movement of the above commodities in a southbound direction and to give recognition to the fact

that the consignors load and the consignees unload such commodities with power equipment, thereby minimizing petitioner's handling costs. Petitioner states that these conditions continue to exist.

Petitioner asserts that, under the currently authorized rates, the major shipper<sup>1/</sup> has increased its market activities in the Los Angeles area. As a result, the imbalance in the flow of petitioner's traffic has been lessened. Should the requested authority be granted, petitioner estimates that the volume of this traffic will increase in the ensuing year. Petitioner avers that the sought increases in rates are required to offset increased costs.

Revenue and expense data submitted by petitioner indicate 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 petition was mailed to California Trucking Association and other interested parties on January 17, 1969. The petition was listed on the Commission's Daily Calendar of January 21, 1969. No objection to the granting of the petition has been received.

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

In view of the impending expiration date of the current authority, the order which follows will be made effective March 4, 1969.

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1/ This shipper is Standard Industrial Minerals, Inc.

IT IS ORDERED that:

1. Western Gillette, Inc., a corporation, is hereby authorized to publish and file, to expire with March 11, 1970, rates for the transportation of clay, pyrophyllite, silt, soapstone, talc and sand as set forth, and subject to the conditions specified, in Appendix A attached hereto and by this reference made a part hereof.

2. Tariff filings shall 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 March 4, 1969.

Dated at Los Angeles, California, this 18<sup>th</sup> day of FEBRUARY, 1969.

William Sproull, Jr.  
President

Arthur

Fred P. Monahan  
Thomas Moran

Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

Authorized Rates and Rules and Regulations  
Applicable Thereto

Application of Rates - Commodities

The rates herein set forth apply for the transportation of the following commodities when packed in bags and palletized:

Clay	Soapstone
Pyrophyllite	Talc
Silt (Soil)	Sand, including Silica Sand

Rates, in cents per 100 pounds

<u>From</u>	<u>To</u>	<u>Rate</u>	<u>Minimum Weight in Pounds Per Shipment</u>
Laws	Points within the Los Angeles	# 33-1/2	40,000
Keeler	Area as described below and	¢ 35-1/2	40,000
Olancha	points intermediate thereto.		

# Applicable only when shipment is loaded into carrier's equipment by the consignor, and when shipment is unloaded without expense to carrier by consignee with power equipment, provided that the shipping document indicates that the shipment was loaded by consignor and is to be unloaded by consignee under conditions described in this reference. Consignee shall certify unloading in accordance with instructions.

¢ Applicable only when shipment is loaded into carrier's equipment by the consignor, and when shipment is unloaded by consignee with the physical assistance of a single carrier employee (either driver or helper, subject to Note) by use of power equipment furnished by the consignee without expense to the carrier, provided the shipping document indicates that the shipment was loaded by consignor and is to be unloaded by consignee under circumstances outlined in this reference. Consignee shall certify unloading in accordance with instructions.

Note: The physical assistance to be provided by the single carrier employee shall be restricted to work within, on, or immediately adjacent to the carrier's equipment.

Los Angeles Area: The Los Angeles Area, as so designated in connection with the rates set forth above, includes all points and places embraced by the following boundaries (includes both sides of highways named):

Beginning at the intersection of the westerly boundary of the City of Los Angeles and the Pacific Ocean, thence along the westerly and northerly boundaries of said city to its point of first intersection with the southerly boundary of the Angeles National Forest, thence along the southerly boundary of the Angeles National Forest to the point of intersection of said southerly boundary of the Angeles National Forest and the Los Angeles-San Bernardino County Line, thence in a southerly direction along said counties' boundaries and the San Bernardino-Orange County and Riverside-Orange County boundaries to the intersection of said latter counties' boundaries and U.S. Highway 91, thence generally westerly along U.S. Highway 91 to State Highway 55, thence in a generally southerly direction along State Highway 55 and its prolongation to the shore line of the Pacific Ocean, thence along the shore line of the Pacific Ocean to the point of beginning.

Shipments transported subject to the rates herein specified shall not be accorded privileges of split pickup or of split delivery.

Charges for transportation under the rates herein specified shall be assessed on gross weight of the shipment. No allowance shall be made for the weight of the bags and/or pallets.

(End of Appendix A)