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ORIGINAL

Decision No. 75566

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
GLASS TRANSPORT CO., a corporation,)
for authority to deviate from)
minimum rates pursuant to Section)
3666 of the Public Utilities Code,)
for the transportation of glass)
fruit jars and equipment, glass)
packer jars, glass bottles, jelly)
glasses, jar tops, caps, discs or)
tops, rubber jar rings, and cartons)
for Ball Brothers Company, Inc.)

Application No. 50910
(Filed February 24, 1969)

OPINION AND ORDER

Glass Transport Co., a corporation, holds a highway contract carrier permit. Applicant transports glass bottles and jars, bottle carrying cartons and related articles for Ball Brothers Company, Inc., at specified rates less than the established minimum rates otherwise applicable between that company's plant in El Monte and points in Los Angeles and Orange Counties within 50 constructive miles of El Monte. The current authority granted by Decision No. 73899 in Application No. 50054 is scheduled to expire on May 7, 1969. By this application, applicant seeks an extension of the above authority for an additional one-year period.

The specific rates which applicant proposes to assess for the transportation involved are set forth in Exhibit 2 attached to the application. These rates, which are stated in cents per 100 pounds, vary according to the distance and weight of each shipment and are less than those otherwise applicable under Minimum Rate Tariff No. 2 for the same transportation. The proposed rates are subject to the condition that charges assessed under this

authority shall not be less than those which would accrue from application of the hourly vehicle unit rates named in Minimum Rate Tariff No. 5 for such transportation.

Applicant alleges that the conditions and circumstances which prevailed at the time of the hearing on the original application for such authority still exist and that operations under the proposed rate will be profitable. It is further alleged that the continuation of the authority will not adversely affect any other carriers and will preserve this profitable traffic for applicant.

The rates sought are two cents per 100 lbs. higher than those authorized by Decision No. 73899. The application alleges that the increase is necessitated by increased costs, particularly drivers' wages.

Revenue and expense data furnished by applicant indicate that the transportation performed under this authority has been profitable and, with the increase, may be expected to be compensatory during the ensuing year.

The certificate of service shows that copies of the application were mailed to California Trucking Association on February 24, 1969. The application was listed on the Commission's Daily Calendar of February 26, 1969. 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.

A. 50910 hjh

IT IS ORDERED that:

1. Glass Transport Co., a corporation, is hereby authorized to transport glass bottles and jars, caps, covers, discs, tops, rubber jar rings, bottle carrying cartons and related articles for Ball Brothers Company, Inc., at rates less than the established minimum rates but not less than those set forth in, and subject to the conditions specified in, Appendix A attached hereto and by this reference made a part hereof.

2. The authority herein granted shall, on and after May 7, 1969, supersede the authority granted by Decision No. 73399 and shall expire with May 7, 1970.

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

Dated at San Francisco, California, this 15th
day of APRIL, 1969.

William J. Lyons, Jr.
President

Augustus
John P. Monahan

Commissioners

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APPLICATION OF RATES FOR TRANSPORTATION PERFORMED

BY: GLASS TRANSPORT CO., a corporation

FOR: BALL BROTHERS COMPANY, INC.

1. COMMODITIES

The rates herein apply for the transportation of the following commodities on pallets and include the return of empty pallets:

- (a) Glass bottles or jars, with or without equipment, one gallon or less in capacity.
- (b) Caps, covers, discs, or tops (other than display), nested or not nested.
- (c) Rubber jar rings.
- (d) Bottle carrying cartons, cartons for caps, closures, discs or tops (other than display), and fillers for both types of said cartons including partitions and/or separators, set up or folded flat, in packages, or strapped on pallets.

2. TERRITORY

Between the El Monte plant of Ball Brothers Company, Inc., and points in Los Angeles and Orange Counties within 50 constructive miles of El Monte, said mileage to be computed in accordance with the provisions of the Commission's Distance Table No. 7.

3. RATES IN CENTS PER 100 POUNDS (See Note 1)Minimum Weight in Pounds

Miles		AQ			10,000 (See Note 2)	20,000 (See Note 2)	36,000 (See Note 2)
Over	Not Over		2,000	4,000			
0	3	102 1/2	60 1/2	48	29 1/2	17 1/2	12
3	5	103 1/2	62 1/2	50 1/2	29 1/2	17 1/2	12
5	10	105 1/2	63 1/2	51 1/2	30 1/2	20 1/2	13 1/2
10	15	105 1/2	66 1/2	54	32 1/2	21 1/2	14
15	20	106 1/2	68	55	34	22 1/2	14 1/2
20	25	107 1/2	71	56	36	24	15
25	30	108	74	57	37	25	16
30	35	108	76	59 1/2	38 1/2	26 1/2	16 1/2
35	40	109	77	60 1/2	39 1/2	28	18
40	45	110	80	63	42	28 1/2	19
45	50	111	81	64	43	30	19

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Note 1

Neither split delivery service nor multiple lot shipment service will be provided except multiple lot shipment service will be provided on bottle carrying cartons, cartons for caps, closures, discs or tops (other than display), and fillers for both types of said cartons including partitions and/or separators, set up or folded flat, in packages, or strapped on pallets.

Note 2

The minimum weights subject to this note apply except as otherwise provided in connection with applicable truckload ratings in the Governing Classification, in the Exception Ratings Tariff No. 1 or in Minimum Rate Tariff No. 2.

4. CONDITIONS

- (a) The charges assessed and herein authorized shall in no event be less in total for the vehicles used in the transportation than the charges which would apply from application of the hourly rates named in Item No. 420 of Minimum Rate Tariff No. 5 to the transportation performed. For the purposes of applying the hourly rates to said transportation, the hours shall be computed from the time that the carrier's equipment leaves the carrier's terminal at 4000 North Arden Drive, El Monte, until it returns to said terminal except that no charge shall be made for the time that the equipment is held under load at carrier's terminal overnight, on Saturdays, on Sundays, and on legal holidays.
- (b) Glass Transport Co. shall retain and preserve copies of its freight bills covering the transportation involved herein for a period of not less than three years from the dates of issuance of said bills; each such copy of its freight bills shall have attached thereto:
 - (A) a statement of the charges computed under Minimum Rate Tariff No. 5; and (B) full information necessary to accurately determine the charges under said hourly rates.

(END OF APPENDIX A)