

**ORIGINAL**

Decision No. 75761

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of HARRY MCKENZIE TRUCKING CO., a corporation, for an order authorizing departure from the rates, rules and regulations of Minimum Rate Tariff No. 2, pursuant to the provisions of Section 3666 of the Public Utilities Code for the transportation of brandy.

Application No. 51014  
(Filed April 18, 1969)

O P I N I O N

Applicant holds radial highway common carrier and highway contract carrier permits. It is also authorized to operate as a highway common carrier between points not involved herein. By Decision No. 74128 dated May 21, 1968, in Application No. 50181, applicant was authorized to transport brandy, in barrels, for Fromm & Sichel, Inc., between Lac Jac, on the one hand, and Biola, Fowler and Monmouth, on the other hand, at rates less than the established minimum rates. The current authority is scheduled to expire with June 17, 1969.

By this application, authority is sought to continue the deviation from the established minimum rates for a further one year period, at rates 1/2 cent per 100 pounds more than those presently authorized.

Applicant alleges that, except for increased labor costs which became effective April 1, 1969, no other substantial changes in cost have occurred and none are anticipated. Applicant avers that the margin of profit at the proposed increased rates is adequate to cover any unforeseen increases in costs which may accrue during the coming year.

Data furnished by applicant indicates that the transportation involved has been profitable and reasonably may be expected to be profitable in the future.

Applicant declares that the record in prior proceedings has indicated that Fromm & Sichel, Inc. is prepared to engage in proprietary operations should the need arise, and has the necessary facilities to do so. Applicant asserts that continuation of the authority sought herein is essential in order that it may retain the shipper's traffic.

The certificate of service shows that copies of the application were mailed to various parties believed to be interested, including California Trucking Association. The application was listed on the Commission's Daily Calendar of April 21, 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. A public hearing is not necessary. The Commission concludes that the application should be granted.

O R D E R

IT IS ORDERED that:

1. Harry McKenzie Trucking Co., a corporation, is hereby authorized to transport brandy, in barrels, between Lac Jac, on the one hand, and Biola, Fowler and Monmouth, on the other hand, for Fromm & Sichel, Inc., at rates less than the established minimum rates but not less than the following subject to a minimum weight of 40,000 pounds per shipment:

<u>Between Lac Jac And</u>	<u>Rate (In Cents Per 100 Pounds)</u>
Biola	17
Fowler	14.5
Monmouth	13

2. The authority herein granted shall supersede the authority granted by Decision No. 74128 and shall expire with June 17, 1970.

This order shall become effective June 17, 1969.

Dated at San Francisco, California, this 10th day of 1 JUNE, 1969.

William Sproun, Jr.  
President

Robert Morrison

W. H. ...

...  
Commissioners

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