

Decision No. 75765**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of MUELLER TRUCK CO., a corporation,
for authority to depart from the
rates, rules and regulations of
Minimum Rate Tariff No. 2 and
Minimum Rate Tariff No. 5, under
the provisions of the Highway
Carriers' Act.

Application No. 51047
(Filed May 1, 1969)

OPINION AND ORDER

Mueller Truck Co., a corporation, requests continuation and modification of a rate deviation authority which is scheduled to expire on July 1, 1969. Since 1966, Mueller has been authorized to depart from the provisions of Minimum Rate Tariff No. 2 and Minimum Rate Tariff No. 5 in the transportation of sodium (soda) hypochlorite solution for The Clorox Company from the plant of Clorox located at 4333 Bandini Boulevard, Vernon, to customers of Clorox located within a distance of 160 miles from the said plant.

Applicant asserts that the circumstances set forth in the original application and which justified the authority heretofore granted have continued to exist and now exist, except that due to wage increases the authorized rates should be increased. Exhibits attached to the application include a cost study prepared on the basis of wages and costs which will be effective during the forthcoming year. The study shows that the transportation at the proposed rates will be compensatory.

The application was served upon California Trucking Association which has informed us that it has no objection to the granting of the authority sought. Notice of the filing of the application was made on the Commission's Daily Calendar. No protests have been received.

The proposed rates are reasonable. A public hearing is not necessary. The application should be granted; therefore,

IT IS ORDERED that:

1. Mueller Truck Co., a corporation, is authorized to transport sodium (soda) hypochlorite solution for The Clorox Company from the Clorox plant at 4333 Bandini Boulevard, Vernon, to customers of Clorox in Southern California located at points within 160 miles of said plant at rates less than those named in Minimum Rate Tariffs Nos. 2 and 5, but not less than those named in Appendix A, attached hereto and by this reference made a part hereof.

2. The authority herein granted, shall, on and after July 1, 1969, supersede the authority granted by Decision No. 74303 and shall expire with July 1, 1970.

The effective date of this order shall be twenty days after the date hereof.

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

William Symons, Jr.
President

David P. Mowsey
Commissioner

[Signature]
Commissioners

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

A. 51047 ds

APPENDIX A
Page 1 of 2

Carrier: Mueller Truck Co.

Shipper: Clorox Company

Commodity: Sodium (soda) hypochlorite solution

Rates: (In cents per 100 pounds):

- A. For transportation otherwise subject to Minimum Rate
Tariff No. 5 (see Note 1).

<u>Rate Basis</u>	<u>Minimum Weight</u>	<u>Rate</u>
"A"	20,000 lbs.	17.5
"B"	20,000 lbs.	18.5
"C"	20,000 lbs.	21.5

NOTE 1:

Rate basis will be computed as provided in Minimum Rate Tariff No. 5. Rates are subject to Item 130 (Split Delivery) of Minimum Rate Tariff No. 5.

All shipments to be power loaded and power unloaded by shipper and consignee; necessary equipment to be furnished and used without expense to the carrier.

Pallets will be returned free, provided such return complies with the provisions of Item 88 of Minimum Rate Tariff No. 5.

Carrier to be free from any claims for shortage. Upon return of damaged merchandise, carrier is to be free from any claim for damage.

A. 51047 ds

APPENDIX A
Page 2 of 2

B. For transportation otherwise subject to Minimum Rate Tariff
No. 2 (see Note 2).

<u>Mileage</u>		<u>Minimum Weight</u> <u>30,000 lbs.</u>	<u>Minimum Weight</u> <u>40,000 lbs.</u>	<u>Minimum Weight</u> <u>45,000 lbs.</u>
<u>Over</u>	<u>But</u> <u>Not Over</u>	<u>Rate</u>	<u>Rate</u>	<u>Rate</u>
0	3	15.5	13.5	13.5
3	5	16.5	14.5	13.5
5	10	17.5	15.5	14.5
10	15	18.5	15.5	15.5
15	20	19.5	16.5	15.5
20	25	19.5	16.5	15.5
25	30	20.5	17.5	16.5
30	35	21.5	18.5	16.5
35	40	22.5	19.5	17.5
40	45	23.5	19.5	18.5
45	50	24.5	20.5	19.5
50	60	26.5	21.5	19.5
60	70	28.5	22.5	20.5
70	80	28.5	23.5	21.5
80	90	29.5	24.5	22.5
90	100	30.5	25.5	23.5
100	110	32.5	26.5	23.5
110	120	32.5	28.5	24.5
120	130	34.5	28.5	25.5
130	140	35.5	29.5	26.5
140	150	36.5	30.5	28.5
150	160	37.5	31.5	28.5

NOTE 2: Mileage to be computed as provided in governing Distance Table. Rates are subject to the provisions of Item 170 (Split Delivery) of Minimum Rate Tariff No. 2.

All shipments to be power loaded and power unloaded by the shipper and consignee; necessary equipment to be furnished and used without expense to the carrier. If loading or unloading time exceeds one hour, charges named in Item No. 145 of Minimum Rate Tariff No. 2 will apply.

Pallets will be returned free, provided that a like number of pallets are returned at the time of delivery. Shipments of pallets not complying with this paragraph will be subject to the rates in the applicable tariff.

Carrier to be free from any claims for shortage. Upon return of damaged merchandise, carrier is to be free from any claim for damage.

Rates to apply to shipments originating at the plant of The Clorox Company located at 4333 Bandini Boulevard, Vernon, California, and destined to points within 160 miles thereof, as indicated in the above mileage bracket column.