

Decision No. 76052

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of PHILIP D. DeGREGORY and JOYCE  
L. DeGREGORY doing business as  
JOYCO ENTERPRISES, for authority  
to deviate from MRT 2 in connec-  
tion with contract transportation  
to be performed for STANDARD  
BRANDS PAINT CO. }

Application No. 50866  
(Filed February 7, 1969;  
Amended April 16, 1969)

Eldon M. Johnson, for applicant.  
John W. Cuje, for California Trucking  
Association, interested party.  
B. I. Shoda and R. E. Douglas, for the  
Commission staff.

O P I N I O N

Philip D. DeGregory and Joyce L. DeGregory, doing business as Joyco Enterprises, are authorized to operate as a radial highway common carrier and a highway contract carrier for the transportation of general commodities between points in California. By this application, they seek authority to transport paint, paint materials and related articles for Standard Brands Paint Co. (Standard) from Standard's manufacturing plant at Torrance to Standard's retail stores at Hayward, San Jose and El Cerrito at a rate less than the Commission's established minimum rates but not less than 61 cents per 100 pounds, minimum weight 42,000 pounds.<sup>1/</sup> By Decision No. 75342, dated February 12, 1969, interim authority was granted pending a hearing. The interim authority expires August 12, 1969. On

---

<sup>1/</sup> The commodities are described in detail in Exhibit A attached to the application.

April 16, 1969, an amendment was filed requesting that the authority be expanded to include new stores to be opened this fall in Sacramento and Oakland.

Public hearing was held on the application May 20, 1969, at San Francisco, before Examiner Turpen. One of the applicants, a rate expert, a public accountant, and a representative of the shipper testified in support of the application. Members of the Commission staff assisted in developing the record by cross-examination of the witnesses. No one appeared in opposition to the granting of the application.

Details of the transportation involved are set forth in Decision No. 75342. There is no need to repeat them here. The evidence adduced at the public hearing supports the facts set forth therein, and shows that the transportation has been performed at an operating ratio of about 83 percent.

It appears, and the Commission finds, that the rate proposed subject to conditions set forth in Appendix A herein is reasonable. We conclude that the application, as amended, should be granted.

O R D E R

IT IS ORDERED that:

1. Philip D. DeGregory and Joyce L. DeGregory, doing business as Joyco Enterprises, are authorized to transport paint, paint materials and related articles for Standard Brands Paint Co. from and to the points set forth in Appendix A, attached hereto, at a rate less than the established minimum rates, but not less than that set forth, and subject to the conditions specified, in said Appendix A.

2. The authority herein granted shall expire with August 18, 1970 unless sooner canceled, changed or extended by order of the Commission.

This order shall become effective on the date hereof. ✓

Dated at San Francisco, California,  
this 19<sup>th</sup> day of AUGUST, 1969.

William J. Synovis, Jr.  
President

Augustine  
Harold P. Morrissey  
W. F. Johnson

Thomas J. ...  
Commissioners

APPENDIX A TO DECISION NO. 76052

PHILIP D. DeGREGORY and JOYCE L. DeGREGORY  
doing business as  
JOYCO ENTERPRISES

APPLICATION OF RATES

Shipper: Standard Brands Paint Co.

Commodity: Paint, paint materials and other articles as described in Note 6 set forth in Decision No. 75342.

Rate: 61 cents per 100 pounds subject to minimum weight of 42,000 pounds per truckload.

From: Standard Brands Paint Co., 4300 West 190th Street, Torrance.

To: Standard Brands Paint Co. retail stores at:

a. Hayward	d. Sacramento
b. San Jose	e. Oakland
c. El Cerrito	

Condition: Subject to Notes 1 through 12 set forth in Decision No. 75342, in this application.

(End of Appendix A)