

ORIGINAL

Decision No. 76751

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of: )

SHIPPERS TRANSIT, INC., a corporation, )  
for authority to continue to deviate )  
from MRT 2 in connection with certain )  
contract transportation to be performed )  
for VITA-PAKT CORPORATION. )

Application No. 51559  
(Filed December 17, 1969)

OPINION AND ORDER

Shippers Transit, Inc., holds a highway contract carrier permit. By Decision No. 75176, dated January 7, 1969, in Application No. 50435, it was authorized to deviate from the minimum rates named in Minimum Rate Tariff No. 2 on shipments of chilled fruit juices for Vita-Pakt Citrus Product Company (Vita-Pakt) from Covina to Sacramento, Oakland, San Diego and certain intermediate points. The present authority expired January 27, 1970. By this application renewal of the authority at slightly higher rates, is sought.

The application states that the conditions and circumstances surrounding this transportation have not materially changed and will continue to prevail. The proposed increase in rates will offset cost increases experienced in the past year.

A profit and loss statement attached to the application shows that for the 12 months ended September 30, 1969 applicant had a profit of almost \$19,000. By a verified statement filed January 19, 1970 and hereby entered into the record as Exhibit No. 1, all but \$1,111 of applicant's revenues during this period were from the

transportation here involved. It is apparent from this that the operation here involved is profitable.

The certificate of service shows that a copy of the application was mailed to the California Trucking Association on December 17, 1969. The application was listed on the Commission's Daily Calendar of December 18, 1969. No objection has been received.

The Commission finds that:

1. The transportation service here involved is of high volume and operating conditions are such that high use factors of equipment and labor are experienced, resulting in a very efficient operation.
2. The transportation service here involved can be performed by the carrier at a profit under the proposed rates.
3. The proposed rates are reasonable.

We conclude that the authority should be renewed for an additional one-year period. In view of the expiration of the present authority, the order herein will be made effective on the date hereof.

IT IS ORDERED that:

1. Shippers Transit, Inc., is authorized to transport chilled fruit juices in glass and plastic containers for Vita-Pakt Citrus Product Company from Covina to the destinations named in Appendix A, attached hereto and by this reference made a part hereof, at rates less than the established minimum rates, but not less than those specified in, and subject to the conditions set forth in, said Appendix A.

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2. The authority granted herein shall expire one year after the effective date hereof.

The effective date of this order shall be the date hereof.

Dated at San Diego, California, this 3rd day of FEBRUARY, 1970.

William Lyons Jr.  
President

J. R. [unclear]  
[unclear]  
[unclear]  
Commissioners

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

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APPENDIX A

SHIPPERS TRANSIT, INC.

APPLICATION OF RATES

Shipper: Vita-Pakt Citrus Product Company  
707 North Barranca, Covina, California

To: Destinations shown under rates.

Commodity: Chilled fruit juices in glass and molded plastic containers, and empty containers returning.

Rates: To destinations set forth below, subject to Notes 1 through 5. Rates are in cents per 100 pounds.

<u>Destination</u>	<u>Rate</u>
Sacramento (613 Galvaston)	76
Oakland (940 Brockhurst)	65
Oakland via Sacramento	81
Fresno (1906 W. Belmont) via Bakersfield, Tipton and Tulare	41
San Diego (5265 Lovelock)	19

- Note 1: Subject to a minimum weight of 50,000 pounds. Rate includes split delivery charges, chilled temperature control service and return of empty containers.
- Note 2: Vita-Pakt at San Diego, Covina, Bakersfield, Fresno and Oakland will provide motive power and driver to spot carrier's trailers at the shipping and/or receiving docks; furnish necessary labor to load or unload carrier's trailers; and provide motive power and driver to pull the loaded or unloaded trailers away from shipping or receiving docks.
- Note 3: Shipping documents must bear the notation "Shippers Lead and Count".
- Note 4: Carrier shall be absolved from liability and shall not accept liability for loss, damage, nonreceipt, or misdescription of the goods other than that where the collision or overturning of the vehicle is the proximate cause thereof, provided the vehicle is received at destination with seals intact.
- Note 5: The 50,000 pound minimum shall apply to each outbound shipment from Covina made in a single piece of equipment. There shall be no multiple lot pickups utilizing different units of equipment.

(End of Appendix A)