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ORIGINAL

Decision No. 76818

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of BULK FREIGHTWAYS, a corporation, and a highway carrier other than a highway common carrier, to perform transportation and accessorial services in the movement of phosphate of soda, NOI, in bulk, from South Gate to Long Beach, at rates less than the established minimum rates.

Application No. 51631
(Filed January 20, 1970)

OPINION AND ORDER

Bulk Freightways holds radial highway common carrier and highway contract carrier permits. By Decision No. 75406 dated March 11, 1969 in Application No. 50856, it was authorized to assess a rate and charge less than the applicable minimum rate and charge for the transportation of phosphate of soda, in bulk, for Procter & Gamble Manufacturing Company from South Gate to Long Beach. The authority is scheduled to expire with March 30, 1970.

By this application, applicant requests that the authority to deviate from the minimum rates and charges be extended for a one-year period and that the rate and demurrage charge currently authorized be increased from 7.7 to 8.2 cents per 100 pounds and from \$8.50 to \$12.00 per hour, respectively. The application states that applicant renegotiated its agreement with the shipper during the past year to provide for said increased rate and demurrage charge; that said increases became effective September 1, 1969, and were necessary to offset additional operating costs experienced by applicant; and that the sought increased rate and charge will be just, reasonable and fully compensatory for the forthcoming twelve months.

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Revenue and expense data submitted by applicant indicate that the transportation involved at the sought increased rate and charge has been profitable and reasonably may be expected to continue to be profitable for the ensuing year.

The certificate of service shows that a copy of the application was mailed to California Trucking Association on January 19, 1970. The application was listed on the Commission's Daily Calendar of January 21, 1970. No objection to the granting of this application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rate and charge are reasonable for the transportation involved. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. Bulk Freightways, a corporation, is authorized to assess a rate and charge less than the minimum rate otherwise applicable for the transportation of phosphate of soda, NOI, for Procter & Gamble Manufacturing Company, but not less than the rate set forth, and subject to the conditions specified, in Appendix A attached hereto and by this reference made a part hereof.

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2. The authority herein granted shall, on and after March 30, 1970, supersede the authority granted by Decision No. 75406 and shall expire with March 30, 1971.

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

Dated at San Francisco, California, this 20th day of FEBRUARY, 1970.

William Lyons Jr.
President

James P. Stinson
Commissioners

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

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

BULK FREIGHTWAYS, a corporation, is authorized to transport phosphate of soda, NOI, in bulk, in pneumatic hopper trucking equipment for Procter & Gamble Manufacturing Company, as follows:

From: Stauffer Chemical Company, 4570 Ardine Street, South Gate.

To: Procter & Gamble Manufacturing Company, 1601 West Seventh Street, Long Beach.

Rate: 8.2 cents per 100 pounds, minimum weight 50,000 pounds per load.

Demurrage: (1) Loading time shall be computed from the arrival of the vehicle at point of origin until completion of loading.

(2) Unloading time shall be computed from arrival of the vehicle at point of destination until completion of unloading.

(3) Time in excess of one hour for loading or one hour for unloading shall be subject to a charge of \$12.00 per hour. Fractions of an hour shall be determined in accordance with the following table:

Less than 8 minutes	- omit
8 minutes, but less than 23 minutes	- 1/4 hour
23 minutes, but less than 38 minutes	- 1/2 hour
38 minutes, but less than 53 minutes	- 3/4 hour
53 minutes or more	- 1 hour

In all other respects, the transportation in question shall be subject to the provisions of Minimum Rate Tariff No. 2.

(End of Appendix A)