

ORIGINAL

Decision No. 76951

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
UNIVERSAL TRANSPORT SYSTEM, INC.,
for authority to depart from the
minimum rates, rules and regulations
of Minimum Rate Tariff No. 7,
pursuant to the provisions of
Section 3666 of the Public Utilities
Code for transportation performed
for PACIFIC READY-MIX, INC.

Application No. 51680
(Filed February 3, 1970)

OPINION AND ORDER

Universal Transport System, Inc., holds radial highway common carrier and highway contract carrier permits and also various certificated authorities not involved herein. By Decision No. 75484 dated March 25, 1969, it was authorized to charge rates less than the established minimum rates for the transportation of concrete aggregate for Pacific Ready-Mix, Inc., from the plant of Pacific Cement and Aggregates in Centerville to the plant of Pacific Ready-Mix in Mountain View. The authority is scheduled to expire with March 31, 1970.

By this application, applicant requests that the authority to deviate from the minimum rates be extended for a one-year period. The application states that the facts and circumstances which justified the granting of the current authority continue to exist at the present time; that prevailing agreements with locals of the teamster's unions which control the wages and benefits paid by applicant will expire in early 1970 and will be subject to

negotiations; and that as soon as the negotiations have been consummated, applicant will immediately file a request to increase the sought rates to the extent necessary to offset any increases in labor costs resulting therefrom.

A balance sheet and income statement attached to the application indicate that applicant's overall operations have been profitable. However, no revenue and expense data relating specifically to the transportation in issue at the sought rates have been included with the application. In this connection, the application states that appropriate cost studies will accompany applicant's request for increases in the sought rates following completion of the aforementioned labor negotiations.

The application states that a copy thereof was mailed to the California Trucking Association. The application was listed on the Commission's Daily Calendar of February 5, 1970. No objection to the granting of this application has been received.

It appears, and the Commission finds, that under current operating costs experienced by applicant, the proposed rates are reasonable for the transportation in issue. However, should the negotiations referred to above result in substantial increases in labor costs, the sought rates may cease to be reasonable. Because of this uncertainty, the authority granted herein will be limited to a period of six months.

Applicant is placed on notice that any request for a further extension of the deviation authority granted herein will not be considered unless appropriate revenue and expense data relating to the transportation in issue accompanies such request.

IT IS ORDERED that:

1. Universal Transport System, Inc., is authorized to transport aggregate (rock, sand and/or gravel) for Pacific Ready-Mix, Inc., from the plant of Pacific Cement and Aggregates at 37151 Sequoia Road, Centerville, to the plant of Pacific Ready-Mix at 605 East Fairchild Drive, Mountain View, at rates less than the established minimum rates but not less than those set forth in Appendix A, attached hereto and by this reference made a part hereof.

2. The authority herein granted shall, on and after April 1, 1970, supersede the authority granted by Decision No. 75484, and shall expire with September 30, 1970.

The effective date of this order shall be April 1, 1970.

Dated at San Francisco, California, this 17th day of MARCH, 1970.

William Synors Jr.
President

Richard

J. Williams

Thomas

James L. Sturgeon
Commissioners

APPENDIX A

UNIVERSAL TRANSPORT SYSTEM, INC.

SCHEDULE OF MINIMUM RATES FOR
TRANSPORTATION OF AGGREGATE FOR
PACIFIC READY-MIX, INC.

Commodity: Concrete Aggregate (rock, sand and/or gravel).

From: Pacific Cement and Aggregates' plant at
37151 Sequoia Road, Centerville.

To: Pacific Ready-Mix, Inc.'s plant at 605 East Fairchild
Drive, Mountain View.

Rates:

(1) En route rate* (minimum weight 24 tons)	70 cents per ton
(2) Loading and unloading rate**	16 cents per minute

* Applicable to transportation of commodity
from origin to destination.

** Applicable to loading and unloading commodity
at origin and destination plants. Time commences
when equipment is available for loading or
unloading and terminates when loading or unloading
is accomplished and equipment is released.

In all other respects, the rates and rules in Minimum Rate Tariff
No. 7 shall apply.

(End of Appendix A)