

Decision No. 77223

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of CONSOLIDATED FREIGHT-  
WAYS CORPORATION OF DELAWARE, a cor-  
poration, for authority to depart  
from the rates, rules and regulations  
of Minimum Rate Tariff No. 2 under  
the provisions of the Highway Car-  
riers Act.

Application No. 51820  
(Filed April 14, 1970)

O P I N I O N

Consolidated Freightways Corporation of Delaware holds a contract carrier permit from this Commission.<sup>1/</sup> It seeks authority to continue to deviate from the minimum rates for the transportation of petroleum coke in bulk from the production plant of Mobil Oil in Torrance to the production plant of Great Lakes Carbon Corporation in Wilmington.

Applicant proposes to perform this transportation at less than the established minimum rate, but not less than 64.5 cents per ton, except that for transportation performed on Labor Day, Thanksgiving Day, day after Thanksgiving, December 24th, Christmas Day, New Year's Day, Washington's Birthday, Memorial Day and the Fourth of July, the rate will be 89.9 cents per ton.

Applicant alleges the circumstances which justified the prior deviation in Decision No. 75722 in Application No. 50994, still obtain. It is further alleged that applicant's experience

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<sup>1/</sup> It also holds a radial highway common carrier permit and certifies as a petroleum irregular route carrier and highway common carrier.

indicates that the sought rates are fully compensatory in view of the volume involved and the extraordinary vehicle use factor which this operation allows.

A cost and revenue estimate for the year 1970 is attached to the application as Exhibit A. The average mileage and tonnage figures have remained relatively constant. After allowance for adjustments in wages and other costs, the rates to be charged allow for a predicted profit factor of \$0.055 per mile.

The application appeared on the Commission's daily calendar of April 15, 1970. A copy of the application was served upon California Trucking Association. No protests have been received. A public hearing does not appear necessary.

In the circumstances, it appears and the Commission finds, that the proposed rates are reasonable. The Commission concludes that the application should be granted.

O R D E R

IT IS ORDERED that:

1. Consolidated Freightways Corporation of Delaware is authorized to transport petroleum coke in bulk from the production plant of Mobil Oil Co. in Torrance, California to the production plant of Great Lakes Carbon Corporation in Wilmington, California at less than the established minimum rate, but not less than 64.5 cents per ton, except that for all transportation performed on Labor Day, Thanksgiving Day, day after Thanksgiving, December 24th, Christmas Day, New Year's Day, Washington's Birthday, Memorial Day and the Fourth of July, the rate shall be not less than 89.9 cents per ton.

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2. The authority granted herein shall, on and after May 31, 1970, supersede the authority granted by Decision No. 75722, and shall expire with May 31, 1971 unless sooner canceled or extended.

The effective date of this order shall be May 31, 1970.

Dated at San Francisco, California, this 19th  
day of MAY, 1970.

William J. Lyons, Jr.  
President

Augusta  
J. P. Quinn

Thomas L. Stinson  
Commissioners