

ORIGINAL

Decision No. 77492

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of SIGNAL TRUCKING SERVICE, LTD.,
a corporation, for authority to
depart from the rates, rules and
regulations of Minimum Rate
Tariff No. 5 and Minimum Rate
Tariff No. 2, under the provisions
of the Highway Carriers' Act.

} Application No. 51579
(Petition for Modification of
Decision No. 76776)
(Filed June 1, 1970)

OPINION AND ORDER ON PETITION
FOR MODIFICATION OF DECISION NO. 76776

Decision No. 76776, dated February 22, 1970, in Application No. 51579, authorized Signal Trucking Service, Ltd. (Signal) to depart from the established minimum rates and certain requirements of General Order No. 84-F (C.O.D. Shipments) in connection with the transportation of various products for The Procter & Gamble Distributing Company. Said authority is scheduled to expire February 22, 1971.

The current authority permits Signal to: (1) use various documents prepared by the shipper in the regular course of business as shipping documents in lieu of those required under the Commission's minimum rate orders; (2) assess an additional charge of 42 cents per 100 pounds for split delivery service in lieu of the charges per component part otherwise applicable; (3) make C.O.D. shipments part of split delivery shipments; and (4) be relieved from applying the 2-mile additive when split delivery service is performed at more than one point within the same metropolitan zone, incorporated city, extended area or community.

By Decision No. 77026, dated March 31, 1970, in Case No. 5432 (Petition for Modification No. 560) the scope of application of the split delivery provisions set forth in the Commission's Minimum Rate Tariff No. 2 was substantially revised. Signal now requests authority to modify its outstanding minimum rate relief, granted by Decision No. 76776, in order to continue to deviate from the current amended split delivery provisions of Minimum Rate Tariff No. 2. Specifically, applicant seeks authority to increase its existing charge for split delivery service from 42 to 45 cents per 100 pounds; to provide that split delivery shipments originating at Long Beach shall contain not more than 70 split delivery components; and to make other minor technical revisions due to the recent changes in the format of the underlying minimum rate tariff items.

Applicant conducted a four-week survey of the split delivery shipments it transported for Procter & Gamble to determine the number of split deliveries per shipment. The results of the survey (Exhibit 1 of the application) indicate that, while a majority of the split delivery shipments involved did not exceed the maximum number of 40 splits currently allowed under the provisions of Minimum Rate Tariff No. 2, the number of components contained in several of the split delivery shipments surveyed did range over 40 to 66 splits per shipment. Also attached to the application (Exhibit 2) is a cost study conducted by Signal for the months of January, February and March 1970 which indicates that the transportation performed by applicant for Procter & Gamble under the authority granted by Decision No. 76776 has continued to be profitable. Applicant's sought increase in its current split delivery charge from 42 to 45 cents per 100 pounds is assertedly designed to insure that Signal's service to the shipper involved herein will continue to be conducted on a profitable basis.

Applicant's proposed modification to its outstanding authority to deviate from the otherwise applicable minimum rates is sought for only the remainder of the temporary period applicable to the authority granted by Decision No. 76776. In connection with the anticipated request for renewal of the temporary authority involved herein, prior to its expiration on February 22, 1971, applicant states it will make a complete study to establish the future profitability of its operation for Procter & Gamble with up to 70 split delivery components per shipment.

Applicant's petition for modification of Decision No. 76776 was served upon the California Trucking Association, and notice of the filing of said petition appeared in the Commission's Daily Calendar for June 3, 1970. There are no protests.

In the circumstances, the Commission finds that the proposed modification to applicant's outstanding temporary authority to depart from the Commission's established minimum rate orders will be reasonable. A public hearing is not necessary. The petition for modification of the authority granted in Decision No. 76776 in this proceeding will be granted.

IT IS ORDERED that:

1. Signal Trucking Service, Ltd. is hereby authorized to depart from the provisions of the Commission's minimum rate orders and General Order No. 84-F, otherwise applicable, as more particularly set forth in Appendix A (revised) attached hereto and by this reference made a part hereof.

2. The authority granted herein shall, on and after the effective date of this order, supersede the authority granted by Decision No. 76776, and shall expire February 22, 1971.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 14th
day of JULY, 1970.

Chairman

William J. Sweeney

Don P. ...

Vincent L. Sturgeon
Commissioners

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

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

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The authority herein granted applies only in connection with property transported by Signal Trucking Service, Ltd. (hereinafter called "the carrier") for The Procter & Gamble Distributing Company between points in California south of an east-west line through the City of Madera (see NOTE):

1. The carrier is authorized to use, in lieu of other shipping documents, the forms of documents submitted as Exhibits Nos. 1, 2, 3 and 4 in Application No. 31459, provided:
 - a. The documents collectively shall contain all information necessary to an accurate determination of the applicable rate and charge, except that weights, where standardized, need not be shown.
 - b. Documents covering each shipment, if separated, shall be cross-referenced and filed in a manner permitting ready assembly.
 - c. A copy of each document shall be retained and preserved by the carrier, subject to the inspection of any authorized representative of the Commission, for a period of not less than three years from the date of its issuance.
2. The carrier is authorized, in connection with split delivery shipments originating at Long Beach, to apply an additional charge of 45 cents per 100 pounds in lieu of the additional split delivery charges set forth in Item No. 173 of Minimum Rate Tariff No. 2. This charge shall be made in addition to the line-haul rate.
3. The carrier is authorized to use, without assessing additional charges therefor, employees other than drivers, in lieu of drivers, for loading its vehicles.
4. The carrier is authorized to make C.O.D. shipments part of split delivery shipments.
5. The carrier is authorized, in connection with split delivery shipments originating at Long Beach, California, to not apply EXCEPTION 1 to subparagraph (1) of Item No. 171 of Minimum Rate Tariff No. 2.

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6. The carrier is authorized, in connection with split delivery shipments originating at Long Beach, to not apply the provisions of Item No. 170 of Minimum Rate Tariff No. 2, provided, however, that carrier is not authorized to transport more than 70 delivery components per shipment.

NOTE: Does not apply in connection with the transportation of property between the City of Los Angeles proper and steamship wharves and docks located at Los Angeles Harbor, namely Wilmington and San Pedro.

End of Appendix A (Revised)