

Decision No. 77826

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 ACME TRANSPORTATION, INC., a corpo-)
 ration, for authority to depart from)
 minimum rates, rules and regulations)
 applicable in connection with cer-)
 tain transportation to be performed)
 for E. I. du Pont de Nemours & Co.,)
 Inc.)

Application No. 52166
 (Filed August 28, 1970)

OPINION AND ORDER

Acme Transportation, Inc., a corporation, operates under various authorities issued by this Commission. By Decision No. 76287 dated October 21, 1969, in Application No. 51338, it was authorized to transport truckload shipments of petroleum coke, in bulk, at a rate less than the established minimum rate but not less than 11-1/2 cents per 100 pounds subject to a minimum weight of 45,000 pounds. The transportation involved is performed for the account of E. I. du Pont de Nemours & Co., Inc., hereinafter referred to as shipper, from the plant of Collier Carbon & Chemical Corporation at Collier to the shipper's plant at Dupont.¹ The authority is scheduled to expire with November 1, 1970. By this application, applicant seeks an extension of the current authority for an additional one-year period, but at a higher rate of 12 cents per 100 pounds.

Applicant alleges that the circumstances set forth in its original application which justified the granting of the authority

¹ Collier is located at a point three miles southeast of Rodeo on State Highway 4; Dupont is located at a point one mile east of Antioch on the same highway.

still exist and require that applicant be authorized to continue to charge a rate lower than the minimum rate for another year.

Applicant asserts that the proposed rate is reasonable and will yield a reasonable and adequate return for the transportation service which it performs. Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected 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 August 27, 1970. The application was listed on the Commission's Daily Calendar of August 31, 1970. No objection to the granting of the application has been received.

In a letter, the California Trucking Association urges that the authority be made to expire June 30, 1971 so that the rate may be adjusted, if necessary, concurrently with the labor contract changes which occur on July 1, 1971.

In the circumstances it appears, and the Commission finds, that the proposed rate is reasonable. A public hearing is not necessary. The Commission concludes that the application should be granted, but the authority should be made to expire with June 30, 1971.

In view of the impending expiration date of the current authority, the order which follows will be made effective November 1, 1970.

IT IS ORDERED that:

1. Acme Transportation, Inc., is hereby authorized to transport shipments of petroleum coke in bulk from the plant of Collier Carbon & Chemical Corporation, located at Collier, to the plant of E. I. du Pont de Nemours & Co., Inc., at Dupont, at a rate less than

the established minimum rate but not less than 12 cents per 100 pounds, minimum weight 45,000 pounds per shipment.

2. The authority granted herein shall, on and after November 1, 1970, supersede the authority granted by Decision No. 76287 and shall expire with June 30, 1971.

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

Dated at San Francisco, California, this 14/16 day
of OCTOBER, 1970.

J. P. Mulrooney
Chairman
Augustine
William J. Sproule
Thomas J. Sproule
Yuan L. Sturgeon
Commissioners