

ORIGINAL

Decision No. 77827

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
C. R. NICKERSON, Agent and Attorney,)
for and on behalf of NORTH BAY TRANSPORT,)
INC. under authority of Power of Attorney,)
under the Shortened Procedure Tariff Docket,)
for authority to increase the present rate)
on Cement, in bulk, from Kentucky House,)
Permanente and Redwood City, California, to)
Petaluma, California, in Item 200 of Pacific)
Coast Tariff Bureau Local Freight Tariff No.)
9, Cal.P.U.C. No. 30 of Agent C.R.Nickerson,)
to the basis outlined in Exhibit "A" attached)
to and by reference thereto, made a part of)
this application.)

Shortened Procedure
Tariff Docket
Application No. 52020
(Filed July 7, 1970)

-AND-

For authority to depart from the terms of)
Section 454 of the Public Utilities Code)
when accomplishing proposed publication.)

OPINION AND ORDER

By this application, C. R. Nickerson, on behalf of North Bay Transport, Inc. (North Bay), seeks authority to increase North Bay's rates on cement in bulk to Petaluma from Kentucky House, Permanente and Redwood City from 20, 15 and 13 cents per 100 pounds to 21½, 16½ and 14 cents per 100 pounds, respectively.¹

Applicant states that the aforementioned rates are rail competitive rates which were published for the account of North Bay to enable it to compete with rail and highway carriers. Applicant alleges that North

¹ The current rates are set forth in Item No. 200 of C. R. Nickerson, Agent, Pacific Coast Tariff Bureau Local Freight Tariff No. 9, Cal.P.U.C. No. 30.

Bay has found that these rates have not been compensatory since the 1970 wage rate increases went into effect on June 27, 1970. Applicant declares that the proposed rates would enable the carrier to realize a small margin of profit and yet keep the involved operation on a competitive basis. Applicant avers that North Bay has discussed the proposed increases with Petaluma Ready Mix, the only consignee involved, and that this party has agreed to continue to utilize the carrier's services under the proposed rates.²

Applicant asserts that increases resulting from the proposal herein would not increase the California intrastate gross revenue of North Bay by as much as one percent.

The application was listed on the Commission's Daily Calendar of July 8, 1970. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that increases resulting from the publication of the rates as proposed in the application are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. C. R. Nickerson is hereby authorized, on behalf of North Bay Transport, Inc., to publish increased rates in his Pacific Coast Tariff

²

Exhibit "B" attached to the application contains a copy of such agreement.

Bureau Local Freight Tariff No. 9, Cal.P.U.C. No. 30, as specifically proposed in the application.

2. North Bay Transport, Inc., is hereby authorized to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code to the extent necessary to exercise the authority granted herein. Schedules containing the rates published under this authority shall make reference to this order.

3. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and to the public.

4. The authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

This order shall become effective twenty days after the date hereof.

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

J. P. ...
Chairman
W. ...
William ...
...
Vernon L. ...
Commissioners