

Decision No. 78522

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of APPEGATE DRAYAGE COMPANY, a )  
corporation, for an order author- )  
izing departure from the minimum )  
rates and rules pursuant to the )  
provisions of Section 3666 of the )  
Public Utilities Code for the )  
transportation of rice hulls from )  
West Sacramento to a point near )  
Nimbus. )

Application No. 52523  
(Filed March 30, 1971)

INTERIM OPINION AND ORDER

Applegate Drayage Company, a corporation, operates as a highway contract carrier. By this application, it seeks authority to transport rice hulls for Rice Mill Products Co. from West Sacramento to a point near Nimbus, at a rate of \$33.00 per trip which is less and different than the rates prescribed as minimum by the Commission.

Applicant states that rice hulls have little or no commercial value and have in most instances in the past been burned as a waste material. According to applicant, government regulations no longer permit the burning of these rice hulls and, as a result, the rice hulls have been transported by the shipper from West Sacramento to a sanitary land fill near Nimbus and dumped and buried at that point.

Applicant declares that the rice hull movement will commence on April 1, 1971, and one unit of equipment will be used in this movement for a three or four month period approximately 20 hours per day. Applicant alleges that each shipment would contain slightly more than 26,000 pounds and will be transported in 26-foot

double side dumps or 40-foot drag vans. Applicant avers that the round-trip distance for this movement is 42 actual miles and the round-trip time approximates two hours. Applicant asserts that the proposed rate would yield revenue of \$16.50 per hour or 80 cents per mile and would be compensatory for the transportation involved.

Copy of the application was mailed to California Trucking Association on or about March 29, 1971. The application was listed on the Commission's Daily Calendar of March 31, 1971. No objection to the granting of the application has been received.

The Transportation Division staff has reviewed the application and recommends that it be granted by ex parte order on an interim basis pending decision on evidence to be adduced at a public hearing.

Subject to further review upon consideration of evidence which may be adduced at a public hearing, it appears, and the Commission finds, that the proposed rate is reasonable. In view of the existing conditions, the Commission concludes that applicant should be granted interim authority for a period of six months. A future hearing will be scheduled in this proceeding.

IT IS ORDERED that:

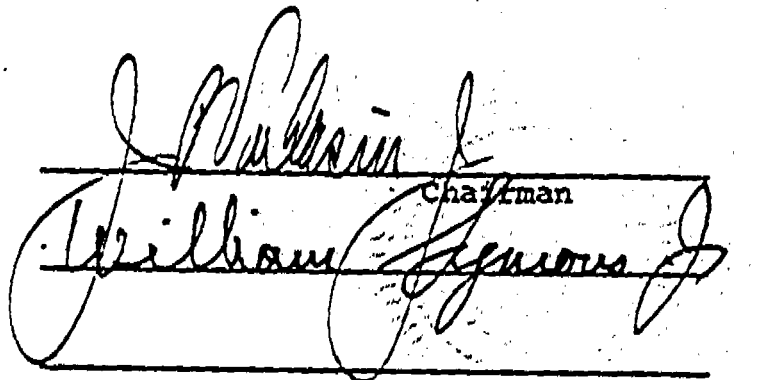
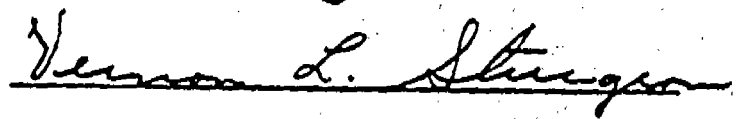
1. Applegate Drayage Company, a corporation, is authorized to transport rice hulls for Rice Mill Products Co. from West Sacramento to a point off White Rock Road on property owned by Brighton Sand and Gravel Company near Nimbus at a rate less and different than the Commission's established minimum rates but not less or different than \$33.00 per unit of equipment per trip.

2. The authority granted herein shall expire six months after the effective date of this order unless sooner canceled, modified or extended by order of the Commission.

3. A public hearing shall be scheduled in this proceeding for the receipt of evidence on this application and full disposition thereof.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 2nd day of April, 1971.

  
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Chairman  
  
\_\_\_\_\_  
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

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