

ORIGINAL

Decision No. 78824

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation )  
into the rates, rules, regulations, )  
charges, allowances and practices )  
of all common carriers, highway )  
carriers and city carriers relat- ) Case No. 5432  
ing to the transportation of any ) (Petition for Modification  
and all commodities between and ) No. 654)  
within all points and places in the ) (Filed May 24, 1971)  
State of California (including, but )  
not limited to, transportation for )  
which rates are provided in Minimum )  
Rate Tariff No. 2). )

OPINION AND ORDER

By Decision No. 77652 dated August 25, 1970, Big Pine Trucking Company, Inc., a corporation, was authorized as a highway common carrier to publish rates of 33½ and 35½ cents per 100 pounds, minimum weight 40,000 pounds, for the transportation of clay, pyrophyllite, silt, soapstone, talc and sand from Laws, Keeler and Olancho to points within a defined Los Angeles area.<sup>1</sup> The above rates of 33½ and 35½ cents were increased to 39 and 41 cents per 100 pounds, respectively, on January 9, 1971, pursuant to Decision No. 78030. The present rates are lower than the established minimum rates for this transportation and are scheduled to expire with July 1, 1971. By this petition, authority is sought to continue to maintain the currently authorized rates for an additional one-year period.

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<sup>1</sup> The rates are currently published in Item 4545 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15.

Petitioner alleges that the circumstances recited in Decision No. 77652, supra, still exist and that, as has been established for a number of years, common carriers serving the Big Pine-Bishop area of the eastern central portion of California have an operational imbalance. It states that such imbalance is caused by (1) a heavier flow of traffic into the Big Pine-Bishop area from the Los Angeles-Orange County metropolitan area than is developed toward that metropolitan area; and (2) the common carrier duty to offer its service to the public on the northbound movements with unused capacity southbound. Petitioner avers that the authority requested is needed for it to generate southbound movements out of the Big Pine-Bishop area in order to avoid running its equipment deadhead.

Revenue and expense data submitted by petitioner disclose the transportation involved has been profitable and reasonably may be expected to be profitable under the proposed rates for the ensuing year.

The certificate of service shows that a copy of the petition was mailed to California Trucking Association and other interested parties on or about May 24, 1971. The petition was listed on the Commission's Daily Calendar of May 26, 1971. No objection to the granting of the petition has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable and justified by transportation conditions. A public hearing is not necessary. The Commission concludes that the petition should be granted.

IT IS ORDERED that:

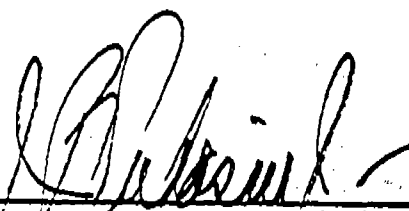



1. Big Pine Trucking Company, Inc., a corporation, is hereby authorized to publish and file, to expire with July 1, 1972,

rates for the transportation of clay, pyrophyllite, silt, soapstone, talc and sand as set forth, and subject to the conditions specified, in Appendix A attached hereto and by this reference made a part hereof.

2. Tariff filings shall be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and to the public.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 27th day of June, 1971.

  
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Chairman  
  
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\_\_\_\_\_  
Vernon L. Sturgeon  
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Commissioners

APPENDIX A TO DECISION NO. 78824Authorized Rates and Rules and Regulations  
Applicable TheretoApplication of Rates - Commodities

The rates herein set forth apply for the transportation of the following commodities when packed in bags and palletized:

Clay	Soapstone
Pyrophyllite	Talc
Silt (Soil)	Sand, including Silica Sand

Rates, in cents per 100 pounds

<u>From</u>	<u>To</u>	<u>Rate</u>	<u>Minimum Weight in Pounds Per Shipment</u>
Laws	Points within the Los Angeles	# 39	40,000
Keeler	Area as described below and	ø 41	40,000
Olancho	points intermediate thereto.		

# Applicable only when shipment is loaded into carrier's equipment by the consignor, and when shipment is unloaded without expense to carrier by consignee with power equipment, provided that the shipping document indicates that the shipment was loaded by consignor and is to be unloaded by consignee under conditions described in this reference. Consignee shall certify unloading in accordance with instructions.

ø Applicable only when shipment is loaded into carrier's equipment by the consignor, and when shipment is unloaded by consignee with the physical assistance of a single carrier employee (either driver or helper, subject to Note) by use of power equipment furnished by the consignee without expense to the carrier, provided the shipping document indicates that the shipment was loaded by consignor and is to be unloaded by consignee under circumstances outlined in this reference. Consignee shall certify unloading in accordance with instructions.

Note: The physical assistance to be provided by the single carrier employee shall be restricted to work within, on, or immediately adjacent to the carrier's equipment.

Los Angeles Area: The Los Angeles Area, as so designated in connection with the rates set forth above, shall include Los Angeles and ten (10) miles thereof including Long Beach.

Shipments transported subject to the rates herein specified shall not be accorded privileges of split pickup or of split delivery.

Charges for transportation under the rates herein specified shall be assessed on gross weight of the shipment. No allowance shall be made for the weight of the bags and/or pallets.

(END OF APPENDIX A)