

ORIGINAL

Decision No. 79484

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In The Matter of the Application of )  
 AMERICAN TRANSFER CO., a corporation )  
 for authority to charge at a rate )  
 less than those prescribed in Minimum )  
 Rate Tariff No. 2, for the transpor- )  
 tation of glass, flat, not bent, for )  
 PPG Industries, Inc. from Fresno, )  
 pursuant to Section 3666 of the )  
 Public Utilities Code. )

Application No. 53046  
(Filed December 3, 1971)

INTERIM OPINION AND ORDER

By Order No. SDD-026 issued December 17, 1970, American Transfer Co., a corporation, (American) was authorized to transport glass for PPG Industries, Inc., at a rate less than the established minimum rate from Fresno to points in the Los Angeles Metropolitan Area. The currently authorized rate is 41 cents per 100 pounds subject to a minimum weight of 50,000 pounds. The authority is scheduled to expire December 17, 1971.

By this application, American seeks authority to:

- (1) extend the current authority to December 17, 1972, and
- (2) increase the less-than-minimum rate to 45 cents per 100 pounds.

Applicant alleges that the transportation involved has been profitable and that it will continue to be profitable under the proposed rate. Applicant avers that the transportation characteristics which justified the current authority will continue except that the roundtrip revenues will increase by virtue of the increase in rate and in return hauls.

Revenue and expense data submitted with the application indicate that the transportation involved has been profitable and reasonably may be expected to be profitable during the ensuing year under the proposed rate.

The verified application shows that copies thereof were mailed to interested parties on or about December 1, 1971. The application was listed on the Commission's Daily Calendar of December 10, 1971. By letter dated December 4, 1971, California Trucking Association informed the Commission that it is opposed to ex parte consideration in this matter and requests that the application be set for public hearing.

The Transportation Division staff has reviewed the application and recommends that, in view of the impending expiration date of the current authority, 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. To the extent that the proposal results in an increase, it is in the lower zone of reasonableness and is consistent with the Federal Government's economic stabilization program and is justified. In view of the existing conditions, the Commission concludes that applicant should be granted interim authority for a period of four months to the extent hereinafter indicated. A future hearing will be scheduled in this proceeding.

IT IS ORDERED that:


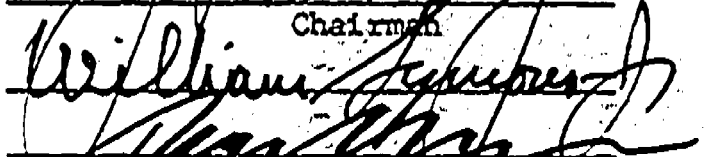



1. American Transfer Co., a corporation, is authorized to transport glass, flat, not bent, as described in Item No. 86730 of National Motor Freight Classification No. A-12, for PPG Industries, Inc., from said shipper's plant in Fresno to said shipper's customers located in Los Angeles Metropolitan Zones 201 through 262, inclusive, as described in Distance Table No. 7, at a rate less than the minimum rate established in Minimum Rate Tariff No. 2, but in no event less than 45 cents per 100 pounds, minimum weight 50,000 pounds.

2. The authority granted herein shall expire four 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.

The effective date of this order shall be the date hereof.

Dated at Los Angeles, California, this 14<sup>th</sup> day of December, 1971.

  
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Chairman  
  
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Commissioners