

ORIGINAL

Decision No. 79847

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of BULK FREIGHTWAYS,
a corporation, for authority under
Section 3666 of the Public Utilities
Code to transport salt (sodium
chloride), plastics in granules,
sodium phosphate, and sodium
silicate, in bulk, between points
in Los Angeles and Orange Counties,
California, at rates less than the
established minimum rates.

Application No. 52546
(Filed April 12, 1971)

THIRD INTERIM OPINION AND ORDER

Bulk Freightways, a corporation, holds radial highway common carrier, highway contract carrier and dump truck carrier permits. By this application it sought authority to transport salt (sodium chloride), plastics in granules, sodium phosphate, and sodium silicate, in bulk, between points in Los Angeles and Orange Counties at rates and charges on the basis of units of measurement differing from those in Minimum Rate Tariff 2 (MRT 2). Specifically, applicant proposes to charge at hourly rates in lieu of class rates.

The applicant stated that it had transported the above commodities in pneumatic hopper trucking equipment for the past several years between points in Los Angeles and Orange Counties at the established hourly rates of Minimum Rate Tariff 5.

By interim Decision No. 78630, applicant was authorized to charge the sought rates. Hearings were held, and a further decision was issued December 21, 1971 (Decision No. 79500) continuing the authority until a decision was reached in Petition No. 41 in Case No. 7783. The conditions and situation are all detailed in Decision No. 79500.

Decision No. 79451, in Case No. 7783, Petition for Modification No. 41, denied the establishment of the minimum rate provisions here involved. By petition filed December 30, 1971, applicant

requests that final disposition of its application be made on the basis of evidence adduced at the hearing held on September 27, 1971, and that no further hearing be held. Letters have been received from the various protestants asking that the present authority not be extended without further hearing.

As stated in Decision No. 79500, several other applicants sought, and were granted on a temporary basis, similar authority. Their authority has been extended to the same basis as previously granted herein. It appears that as these other applications are now subject to further hearings, that the current authority should be continued until such time as the other applications are ready for final disposition. It should be pointed out that a current extension is only an interim expediency measure because we are not in a position at this time to determine reasonable minimum rates for the transportation involved.

IT IS ORDERED that the authority granted by Decisions Nos. 78630 and 79500, in this application, is further extended to apply until further order of the Commission.

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

Dated at San Francisco, California, this 28th
day of MARCH, 1972.

William L. Steigman Chairman
John P. Vukasin, Jr.
William L. Steigman
John P. Vukasin, Jr. Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.