

ORIGINAL

Decision No. 80438

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
DAVID DITTO, an individual doing
business as DITTO FREIGHT LINES, for
authority to deviate from minimum
rates to the extent shown in Exhibit
1 hereto for transportation of
processed silica sand and sodium
(soda) carbonate (soda ash) between
points shown on Exhibit 1 hereto for
Thatcher Glass Company.

Application No. 53449
(Filed July 11, 1972)

INTERIM OPINION AND ORDER

David Ditto, an individual, doing business as Ditto Freight Lines, operates as a highway permit carrier. By this application, he seeks authority to assess a rate less than the established minimum rate for Thatcher Glass Company (Thatcher) for the transportation of processed silica sand from the Mission Viejo production plant of Owens-Illinois Glass Company near the City of San Juan Capistrano to Saugus, and for the transportation of soda ash from the plants of Kerr-McGee in Trona and Stauffer Chemical Company in West End to Saugus.

The application herein, insofar as it relates to silica sand, is similar to others which have been granted on interim basis pending hearing. Similar relief should be granted herein.

The application states that the transportation of both silica sand and soda ash can be performed in an exceptionally economical manner because the origin and destination points operate 24 hours per day, which will permit applicant to operate his equipment continuously over a 24-hour period.

The application contains cost data which indicate that the transportation service proposed to be performed will be compensatory. The application states that Thatcher has informed applicant that it is aware of the favorable cost factors involved in the transportation service and that unless the lower rates sought herein are made available to it, Thatcher will acquire equipment of its own to perform the proposed transportation service.

The verified application shows that copies thereof were mailed to interested parties and the application was listed on the Commission's Daily Calendar. No objection to the granting of the application has been received.

The Transportation Division staff has reviewed the application and recommends that, in view of applicant's urgent need for the sought rate relief, 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 rates are reasonable. In view of the existing conditions, the Commission concludes that applicant should be granted interim authority for a period of six months to the extent hereinafter indicated. A future hearing will be scheduled in this proceeding.

O R D E R

IT IS ORDERED that:

1. David Ditto, doing business as Ditto Freight Lines, is authorized to charge less than the minimum rates established by this Commission for the transportation of processed silica sand and soda ash for Thatcher Glass Company, but not less than the rates set forth in Appendix A attached hereto and made a part hereof.
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.

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

Dated at San Francisco, California, this 31st
day of August, 1972.

Vernon L. Sturgis
President
William J. Jones Jr.

John P. Vukasin, Jr.
Ed. Deane
Commissioners

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

APPENDIX A
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DAVID DITTO

SCHEDULE OF AUTHORIZED RATES

A. Rate for transportation of processed silica sand.

The rate set forth below applies only to transportation of processed silica sand in bulk in bottom dump equipment, gravity loaded and unloaded, for the account of the Thatcher Glass Company.

1. Origin and destination

<u>From</u>	<u>To</u>
Mission Viejo Plant of Owens-Illinois Glass Company located five miles east of Interstate Highway 5 on California State Highway 74 (Ortego Highway) near the City of San Juan Capistrano, Cali- fornia.	The plant of Thatcher Glass Company located at 22655 Springbrook Saugus California.

2. Rate

\$2.93 per ton, minimum weight 28 tons (56,000 pounds).

The minimum weight applies to each unit of carrier's equipment used in the transportation of a single shipment. A unit of equipment includes a tractor and a set of two bottom dump trailers.

3. Limitation

This rate will apply only while loading at origin and unloading at destination are permitted 24 hours a day.

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B. Rate for transportation of sodium carbonate (soda ash).

The rate set forth below applies only to transportation of sodium carbonate (soda ash) in bulk in bottom dump equipment, gravity loaded and unloaded, for the account of Thatcher Glass Company.

1. Origins and destination

<u>From</u>	<u>To</u>
The plants of Kerr-McGee, Trona and Stauffer Chemical Company West End.	The plant of Thatcher Glass Company located at 22655 Springbrook Saugus California.

2. Rate

\$4.83 per ton, minimum weight 27 tons (54,000 pounds).

The minimum weight applies to each unit of carrier's equipment used in the transportation of a single shipment. A unit of equipment includes a tractor and a set of two bottom dump trailers.

3. Limitation

This rate will apply only while loading at origins and unloading at destination are permitted 24 hours a day.