

ORIGINALDecision No. 80814

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
 TRANS-VALLEY TRANSPORT, INC., a
 corporation for authority to depart
 from rates, rules and regulations of
 Minimum Rate Tariff 2 under the pro-
 visions of the Highway Carrier's Act,
 on transportation for Spreckels Sugar
 Division, Amstar Corporation.

Application No. 53649
 (Filed October 18, 1972)

INTERIM OPINION AND ORDER

Trans-Valley Transport, Inc., a corporation, operates as a highway permit carrier. By this application it seeks authority to depart from the minimum rates in Minimum Rate Tariff 2 (MRT 2) for the transportation of sugar, in packages, for Spreckels Sugar Division, Amstar Corporation, from Spreckels to points in California by (1) providing for an allowance of 5 cents per 100 pounds when the shipments are loaded by the shipper without expense to the carrier, and (2) returning the empty pallets to the shipper without charge.

Applicant states that the present rate structure of MRT 2 includes the cost of loading by the carrier and that the shipper involved herein has undertaken the loading of the carrier's vehicles under either of the following circumstances: (1) with power equipment furnished and used without expense to the carrier and when no services are performed at carrier expense or by carrier personnel; or (2) when carrier's trailer or semitrailer is left for loading without the presence of carrier's employees or motive power. Applicant states that the proposed allowance for loading of its equipment by the consignor would have no adverse effect on its revenue and would encourage the shipper to continue and develop this more efficient method of loading to the mutual benefit of all parties concerned.

Attached to the application as Exhibit B is a statement showing the actual revenue derived from shipments of sugar, in packages, which moved from the consignor's facility at Spreckels to points in California during the month of July 1972. The statement also shows (1) the revenue which would accrue to applicant under the proposed rates; (2) the savings in driver labor costs which applicant would experience; (3) the driver cost for dropping an empty trailer or semitrailer; (4) the net additional revenue which applicant would receive as a result of loading by the shipper; and (5) that the transportation involved may reasonably be expected to be profitable.

The verified application shows that copies were mailed to interested parties on or about October 16, 1972. The application was listed on the Commission's Daily Calendar. No objection to the granting of the application has been received.

Commission staff analysis of the application indicates that the proposal will result in a rate reduction to the shipper and a greater net revenue to the carrier due to reductions in the carrier's unloading costs. The staff recommends that the application 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 the evidence which may be adduced at a public hearing, the Commission finds that the proposed rates are reasonable. 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.

IT IS ORDERED that:

1. Trans-Valley Transport, Inc., a corporation, is authorized to depart from the minimum rates and rules set forth in Minimum Rate Tariff 2 for the transportation of sugar, in packages, from Spreckels to points in California as more specifically set forth in Appendix A attached hereto and by this reference made a part hereof.

2. The authority hereinabove granted 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 is the date hereof.

Dated at San Francisco, California, this 12th
day of DECEMBER, 1972.

Vernon L. Stinger
President

William S. Gump

[Signature]
[Signature]

Commissioners

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

APPENDIX A

CARRIER: TRANS-VALLEY TRANSPORT, INC.

SHIPPER: SPRECKELS SUGAR DIVISION OF AMSTAR CORPORATION

COMMODITY: Sugar, in packages

FROM: Spreckels, California

TO: Points in California

RATES: Rates named in Minimum Rate Tariff 2 applicable on shipments of sugar weighing 10,000 lbs. or more, less an allowance of 5 cents per 100 pounds when shipments are loaded by shipper without expense to carrier under one of the following circumstances:

- (a) By the consignor with power equipment furnished and used without expense to the carrier and when no services are performed at carrier expense or by carrier personnel.
- (b) By the consignor when the carrier's equipment is a trailer or semi-trailer left for loading without the presence of carrier's employees.

NOTE 1: When palletized shipments of sugar are transported under rates named herein, the empty pallets shall be returned free.

NOTE 2: All other applicable provisions of Minimum Rate Tariff 2 shall apply except that Items 200 and 241 shall not apply.

(END OF APPENDIX A)