

ORIGINAL

Decision No. 81175

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of MOROSA BROS.  
 TRANSPORTATION CO., a California  
 corporation, dba MOROSA BROS.  
 TRANSPORTATION AND LYNN TRUCKING,  
 to deviate from the rates as set  
 forth in Minimum Rate Tariff No. 2  
 for transportation in pneumatic  
 equipment for sand and crushed  
 limestone, in bulk, for CONSOLIDATED  
 FIBERGLASS PRODUCTS, INC. of  
 Bakersfield, California, under the  
 provisions of Section 3666 of the  
 Public Utilities Code.

Application No. 53836  
 (Filed February 9, 1973;  
 amended February 27, 1973)

INTERIM OPINION AND ORDER

Applicant conducts operations as a for-hire carrier pursuant to highway contract carrier, radial highway common carrier, and dump truck carrier permits. It also holds a cement carrier certificate. By this application it seeks authority to transport sand, NOI, from Interpace Company (Interpace) near Ione, California, and crushed or powdered limestone (lime rock) from Minnesota Mining and Manufacturing Company (3M Co.) near Corona, California, to Consolidated Fiberglass Products, Incorporated (Consolidated) at Bakersfield, California, at rates less than the minimum rates set forth in Minimum Rate Tariff 2. The transportation will be performed with pneumatic equipment which is unloaded by air pressure in defiance of gravity.

Applicant states that the applicable minimum rate for the transportation from Interpace is 57 cents per hundred pounds, minimum weight 40,000 pounds. Applicant seeks authority to assess a rate of 48 cents per hundred pounds, minimum weight 50,000 pounds. Applicant also states that the applicable minimum rate for the transportation from 3M Co. is 42 cents per hundred pounds, minimum weight

50,000 pounds. Applicant seeks authority to assess a rate of 34 cents, minimum weight 50,000 pounds.

Applicant advances the following facts and circumstances as justification for the granting of the sought relief. Consolidated is establishing a new plant at Bakersfield on or about March 15, 1973 to manufacture roofing materials and requires a continuous supply of the materials to keep its plant in operation. The presently applicable rates under Minimum Rate Tariff 2 are stated to be prohibitive from the consignee's cost standpoint. Consolidated estimates a need of 150 tons of sand and 200 tons of crushed limestone weekly.

Applicant anticipates revenues of \$240.00 per load of sand offset by expenses of \$209.64 resulting in a profit of \$30.36. It anticipates revenues of \$170.00 per load of crushed limestone offset by expenses of \$152.93 resulting in a profit of \$17.02.

The certificate of service shows that a copy of the application was mailed to California Trucking Association on February 7, 1973. The application was listed on the Commission's Daily Calendar of February 13, 1973. No objection to the granting of the application has been received.

Subject to further review upon consideration of evidence which may be adduced at a public hearing, it appears, and the Commission finds, that the rates sought herein are reasonable for the transportation to be performed by Morosa Bros. Transportation Co., dba Morosa Bros. Transportation and Lynn Trucking. In view of the existing conditions, the Commission concludes that Morosa Bros. Transportation Co. should be granted interim authority to the extent hereinafter indicated for a period of six months. A future hearing will be scheduled in this proceeding.

IT IS ORDERED that:

1. Morosa Bros. Transportation Co., dba Morosa Bros. Transportation and Lynn Trucking, is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 2 to the extent set forth in Appendices A and B attached hereto and by this reference made a part hereof.

2. The authority granted herein shall expire six months after the effective date of this order.

3. A public hearing shall be scheduled in this proceeding for the receipt of evidence on this application.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 20th day of MARCH, 1973.

Vernon L. Sturgeon  
President  
William J. Lyons  
William J. Lyons  
William J. Lyons  
William J. Lyons  
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

CARRIER: Morosa Bros. Transportation Co., dba  
Morosa Bros. Transportation and Lynn Trucking.

CONSIGNOR: Interpace Company.

POINT OF  
ORIGIN: Within three miles of Ione, south of Highway  
88, one mile on Buena Vista Road.

CONSIGNEE: Consolidated Fiberglass Products.

POINT OF  
DESTINATION: 3531 Shell Avenue, Bakersfield.

COMMODITY: Sand, NOI, as described in Item 90220 of  
National Motor Freight Classification A-13.

RATE: 48 cents per hundred pounds, minimum weight  
50,000 pounds. (Subject to Notes 1, 2, and 3.)

- NOTE 1. Shipments to be gravity loaded by  
consignor at no expense to carrier.
- NOTE 2. Shipments to be unloaded pneumatically  
in defiance of gravity.
- NOTE 3. Not applicable on split pickup or  
split delivery shipments.

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APPENDIX B

CARRIER: Morosa Bros. Transportation Co., dba  
Morosa Bros. Transportation and Lynn Trucking.

CONSIGNOR: Minnesota Mining and Manufacturing Company.

POINT OF  
ORIGIN: 5-1/2 miles south of Corona.

CONSIGNEE: Consolidated Fiberglass Products.

POINT OF  
DESTINATION: 3531 Shell Avenue, Bakersfield.

COMMODITY: Crushed limestone as described in Item 90650  
of National Motor Freight Classification A-13.

RATE: 34 cents per hundred pounds, minimum weight  
50,000 pounds. (Subject to Notes 1, 2, and 3.)

- NOTE 1. Shipments to be gravity loaded by  
consignor at no expense to carrier.
- NOTE 2. Shipments to be unloaded pneumatically  
in defiance of gravity.
- NOTE 3. Not applicable on split pickup or  
split delivery shipments.