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ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ATTHOWE TRANSPORTATION CO. for)
authority to depart from the mini-)
mum rates, rules and regulations)
of Minimum Rate Tariff No. 15,)
pursuant to the provisions of)
Section 3666 of the Public Utilities)
Code, for transportation for)
DeSOTO, INC.)

Application No. 53818
(Filed February 1, 1973)

OPINION AND ORDER

Atthowe Transportation Co., a California corporation, is a highway permit carrier. It here seeks authority to depart from the requirements of Item 50 of Minimum Rate Tariff 15 in performing transportation at monthly vehicle unit rates for DeSoto, Inc., so as to permit it to transport not in excess of 30 shipments per year moving in excess of 250 miles from base of operations, and restricted to shipments moving to or from the plants of DeSoto, Inc. at Berkeley or Los Angeles. Item 50 restricts the application of vehicle unit rates to movements not in excess of 250 miles from base of operations.

Applicant asserts that since August 1, 1968 it has been providing DeSoto, Inc. transportation at the vehicle unit rates in Minimum Rate Tariff 15. Due to a reduction in the volume of business DeSoto, Inc. formerly enjoyed within the area embraced by the 250 mile radius of Berkeley, it is presently not able to fully and continually utilize the vehicles furnished by applicant under the vehicle unit rates. Applicant has been furnishing the shipper four vehicles for the transportation. The shipper informed applicant

that unless it may utilize two of the units of equipment on occasions to points outside the 250 mile area it will no longer be economically feasible to obtain transportation from applicant at the vehicle unit rates. It notified applicant that it will, as it did prior to August 1, 1968, lease vehicles from a vehicle rental company and employ its own drivers to perform the transportation.

Applicant states that the continuation of the service is essential to its operations. DeSoto, Inc. has agreed that if applicant is authorized to occasionally transport shipments, restricted to not in excess of 30 per year moving to or from the shipper's plants at Berkeley or Los Angeles, on at least two of the four units of equipment furnished, it will continue to utilize applicant's services.

Attached to the application are exhibits showing that operations under the proposal will be compensatory.

The application was served upon California Trucking Association which has informed the Commission that it does not oppose the granting of the authority. The Commission's Transportation Division has informed the Commission that it has reviewed the application and believes it is one which, in the absence of protest, may be granted without public hearing. Notice of the filing of the application appeared on the Commission's Daily Calendar of February 5, 1973. No protests have been received.

We find that the rates resulting from applicant's proposal are reasonable. The application should be granted. A public hearing is not necessary.

IT IS ORDERED that:

1. Atthowe Transportation Co., a corporation, is authorized to depart from the service limitation in paragraph (c) of Item 50 of Minimum Rate Tariff 15 to transport property of DeSoto, Inc. in

occasional movements in excess of 250 miles from base of operations, not exceeding 30 in any calendar year, restricted to shipments moving to or from the Berkeley or Los Angeles plant of DeSoto, Inc. Other than as authorized herein, the rates and rules of Minimum Rate Tariff 15 shall govern and shall apply.

2. The authority herein granted shall expire May 1, 1974, unless sooner canceled, modified, or extended by order of the Commission.

The effective date of this order is the date hereof.

Dated at Los Angeles, California, this 27th day of MARCH, 1973.

Vernon L. Sturgeon
President
William J. Symons, Jr.
William J. Symons, Jr.
Alvin J. Brown
Leonard J. Brown
Commissioners