

ORIGINAL

Decision No. 81638

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of YANDELL TRUCKAWAY, INC.
a California corporation, for authority
under Section 3666 of the Public
Utilities Code of the State of California
to deviate from the minimum rates for the
transportation of Beverages and Syrup for
TONKIN CORP. OF CALIFORNIA, doing business
as SEVEN-UP BOTTLING CO. and CAPITOL
BEVERAGE PACKERS.

Application No. 53976
(Filed April 19, 1973)

E. H. Griffiths, for applicant.
Arthur D. Maruna, H. Hughes, and
A. D. Poe, Attorney at Law, for
California Trucking Association,
interested party.
John F. Specht, for the Commission
staff.

O P I N I O N

Applicant holds radial highway common carrier and highway contract carrier permits. By this application it seeks authority to assess less than minimum rates for the transportation of beverages in cans or bottles and syrup from the bottling plant of Tonkin Corp. of California, doing business as Seven-Up Bottling Co. and Capitol Beverage Packers (Tonkin) located at Sacramento to various destination points in northern and central California.

Public hearing was held before Examiner O'Leary at San Francisco on May 14, 1973 at which time the matter was submitted.

Applicant's president and secretary-treasurer and two officers of Tonkin presented evidence in support of the application. The California Trucking Association and the Commission staff assisted in the development of the record by cross-examination of applicant's witnesses.

The destination points, proposed rates, revenue per haul, expenses per haul, resultant profit, and operating ratio for each movement are set forth in the following chart:

From Sacramento To	Proposed Rate in Cents Per 100 lbs.	Revenue On 46,000 lbs. Minimum	Expenses	Profit	Operating Ratio	Round- Trip Miles	Time Including Loading, Unloading, Driving
Marysville	25	\$115.00	\$ 66.69	\$48.31	57.9%	88	3
Stockton	21.5	98.90	64.22	33.68	64.9%	90	3
Tracy	25	115.00	85.98	29.02	74.8%	140	4
Modesto	26.5	121.90	87.80	34.10	72.0%	144	4
Chico	31	142.60	112.88	29.72	79.2%	175.6	5
Richmond							
Oakland							
San Leandro							
Santa Rosa							
San Francisco	35	161.00	122.87	38.13	76.3%	184	5
Brisbane							
So. San Francisco							
Milpitas	34.5	158.70	128.68	30.02	81.0%	223	6
San Jose							
Redwood City	36	165.60	142.94	22.66	86.3%	236	6
Redding	42	193.20	162.35	30.85	84.0%	328	7
Fresno	36	165.60	157.95	7.65	95.3%	330	7
Salinas	38	174.80	165.66	9.14	94.7%	334	7-1/2
Visalia	45	207.00	199.79	7.21	96.5%	410	9

1/ The cost data for the destination points of Chico, Richmond, Oakland, San Leandro, and Santa Rosa were developed by use of an average 175.6 round-trip miles and 5 hours.

2/ The cost data for the destination points of San Francisco, Brisbane, and South San Francisco were developed by use of an average 184 round-trip miles and 5 hours.

3/ The cost data for the destination points of Milpitas and San Jose were developed by use of an average 223 round-trip miles and 6 hours.

Applicant's president testified that the loading and unloading operations will be performed by the consignor and consignee with power equipment and will take about 15 minutes each. The driving times between each set of termini are 30 minutes less than the time shown for the entire operation.

With the exception of the movements to Redding, Fresno, Salinas, and Visalia, applicant's average speed to complete the round-trip miles shown ranges from a low of 35.2 to a high of 42.9 miles per hour. The average speeds to traverse the movements to Redding, Fresno, Salinas, and Visalia are 50.5, 50.8, 47.7, and 48.2 miles per hour, respectively.

The maximum speed limit for the type of equipment operated by applicant is 55 miles per hour. The average speeds shown above for the movements to Redding, Fresno, Salinas, and Visalia could only be attained, if at all, under optimum conditions. There is sufficient profit in the Sacramento to Redding movement to cover any additional cost of most adversities that would prevent applicant from attaining the 50.5 mile per hour average between Sacramento and Redding and still realize a profit. However, should additional costs be incurred in the movements to Fresno, Salinas, and Visalia the meager profit attainable under optimum conditions would become a loss. The proposed rates to Fresno, Salinas, and Visalia have not been shown to be reasonable.

The evidence also discloses that applicant will transport empty containers to Tonkin from Oakland, San Leandro, or Tracy in conjunction with movements for which relief is herein sought.

No protests to the granting of the application have been received.

Findings

1. The proposed rates between Sacramento, on the one hand, and Marysville, Stockton, Tracy, Modesto, Chico, Richmond, Oakland,

San Leandro, Santa Rosa, San Francisco, Brisbane, South San Francisco, Milpitas, San Jose, Redwood City, and Redding, on the other hand, will be compensatory and are reasonable and justified.

2. The proposed rates between Sacramento, on the one hand, and Fresno, Salinas, and Visalia, on the other hand, have not been shown to be reasonable and justified.

Based on the foregoing findings, the Commission concludes that the application should be granted to the extent provided in the ensuing order.

Since conditions under which the service is performed may change at any time, the authority granted in the ensuing order will be made to expire at the end of one year, unless sooner cancelled, changed, or extended by order of the Commission.

O R D E R

IT IS ORDERED that:

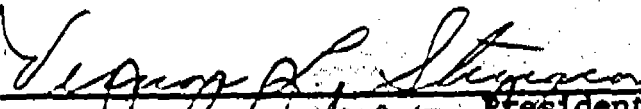
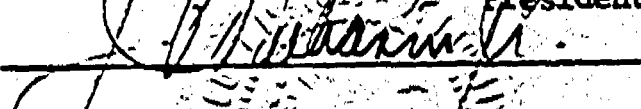

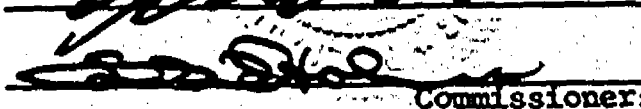
1. Yandell Truckaway, Inc. is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 2 by charging rates less than the applicable class rates to the extent set forth in Appendix A attached hereto and made a part hereof.

2. To the extent not granted herein Application No. 53976 is denied.

3. The authority herein granted shall expire one year after the effective date of this order, unless sooner cancelled, changed, or extended by order of the Commission.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 24th day of JULY, 1973.

 President


 Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

Carrier: Yandell Truckaway, Inc.

Shipper: Tonkin Corp. of California

Commodities:

Beverages, in metal cans, as described in Item 72160 of NMFC.^{1/}

Beverages, in glass bottles, as described in Item 72160 of NMFC.^{1/}

Syrup, flavoring or fruit, in packages, as described in Item 75170 of NMFC.^{1/}

^{1/} NMFC - National Motor Freight Classification.

Origin: Tonkin Corp., 2939 Academy Way, Sacramento.

Destination:

Rate in Cents
Per 100 lbs.

Marysville	25
Stockton	21.5
Tracy	25
Modesto	26.5
Chico	31
Richmond	31
Oakland	31
San Leandro	31
Santa Rosa	31
San Francisco	35
Brisbane	35
So. San Francisco	35
Milpitas	34.5
San Jose	34.5
Redwood City	36
Redding	42

Minimum Weight - 46,000 lbs.

Conditions:

1. Shipments must be power-loaded by shipper and power-unloaded by consignee.
2. No split-delivery service to be accorded.