

Decision No. 81668

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SIGNAL TRUCKING SERVICE, LTD. for authority to depart from the rates, rules, and regulations of Minimum Rate Tariff No. 2, under the provisions of the Highway Carriers Act.

Application No. 53852
(Filed February 20, 1973)

Anthony S. Palumbo, for applicant.
Leonard Diamond, for the Commission staff.

O P I N I O N

Signal Trucking Service, Ltd. operates as a radial highway common carrier and highway contract carrier. Applicant also holds a highway common carrier certificate. Applicant seeks authority pursuant to Section 3666 of the Public Utilities Code to deviate from the rates in Minimum Rate Tariff 2 (MRT 2) and certain provisions of General Order No. 84-Series in connection with transportation performed for The Proctor & Gamble Distributing Company (Proctor & Gamble) of products from the Long Beach, California factory of Proctor & Gamble to its customers in that part of California south of the line running easterly-westerly through the city of Madera, California. The authority was initially granted by Decision No. 44602 dated August 1, 1950 in Application No. 31459 and has been annually renewed thereafter. Applicant's deviation authority was extended in 1972 to apply to shipments originating from Proctor & Gamble's Modesto plant. The most recent renewal was by Order No. SDD-168 dated March 14, 1973, which extended in effect the provisions of Order No. SDD-116 until further order of the Commission.

Public hearing was held before Examiner O'Leary at Los Angeles on June 26, 1973 at which time the matter was submitted.

The authority requested herein is the same as the provisions of the deviation authority which applicant presently has, except that the split delivery charges have been increased from 55 cents to 58 cents per 100 pounds for Long Beach shipments and from 68 cents to 71 cents per 100 pounds for Modesto shipments.

At the hearing, applicant amended its request to add the following provision to the authority presently held:

"The total charges assessed by carrier during the period of this deviation authority shall not be less than the charges which would be assessed if the rates of Minimum Rate Tariff 2 were applied."

There are no protests to the application as amended.

The representative of applicant testified that the increased split delivery charges of 58 cents and 71 cents have been assessed since prior to June 1, 1973.

The staff requested that provision 1.a. of Appendix A attached to Order No. SDD-116 be amended to read:

The documents collectively shall contain all information necessary to an accurate determination of the applicable minimum rate and charge, except that weights, where standardized, need not be shown.

Applicant has no objection to this request.

The Commission finds that the proposed rates and deviation from certain provisions of General Order No. 84-Series are reasonable and justified.

The Commission concludes that the application, as amended, should be granted as set forth in the ensuing order. Since the conditions under which the service is performed may change at any time the authority 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. Signal Trucking Service, Ltd. is authorized to depart from the provisions of the Commission's minimum rate orders and General Order No. 84-Series, otherwise applicable, as more particularly set forth in Appendix A attached hereto and by this reference made a part hereof.

2. The authority granted by Order No. SDD-116 as extended by Order No. SDD-168 is cancelled.

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.

San Francisco
Dated at _____, California, this 31st
day of JULY, 1973.

President
William J. Lyons

[Signature]

[Signature]
Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

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

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The authority herein granted applies only in connection with property transported by Signal Trucking Service, Ltd. (hereinafter called "the carrier") for The Proctor & Gamble Distributing Company between points in California south of an east-west line through the city of Madera (see NOTE):

1. The carrier is authorized to use, in lieu of other shipping documents, the forms of documents submitted as Exhibits Nos. 1, 2, 3, and 4 in Application No. 31459, provided:
 - a. The documents collectively shall contain all information necessary to an accurate determination of the applicable minimum rate and charge, except that weights, where standardized, need not be shown.
 - b. Documents covering each shipment, if separated, shall be cross-referenced and filed in a manner permitting ready assembly.
 - c. A copy of each document shall be retained and preserved by the carrier, subject to the inspection of any authorized representative of the Commission, for a period of not less than three years from the date of its issuance.
2. The carrier is authorized, in connection with split delivery shipments originating at Long Beach to apply an additional charge of 58 cents per 100 pounds, and in connection with shipments originating at Modesto to apply an additional charge of 71 cents per 100 pounds, in lieu of the additional split delivery charges set forth in Item 173 of Minimum Rate Tariff 2. This charge shall be made in addition to the line-haul rate.
3. The carrier is authorized to use, without assessing additional charges therefor, employees other than drivers, in lieu of drivers, for loading its vehicles.

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4. The carrier is authorized to make C.O.D. shipments part of split delivery shipments.
5. The carrier is authorized, in connection with split delivery shipments originating at Long Beach and Modesto, California, to not apply EXCEPTION 1 of paragraph C, subparagraph 1 of Item 171 of Minimum Rate Tariff 2.
6. The carrier is authorized, in connection with split delivery shipments originating at Long Beach and Modesto, to not apply the provisions of Item 170 of Minimum Rate Tariff 2, provided, however, that carrier is not authorized to transport more than 70 delivery components per shipment.
7. The total charges assessed by carrier during the period of this deviation authority shall not be less than the charges which would be assessed if the rates of Minimum Rate Tariff 2 were applied.

NOTE: Does not apply in connection with the transportation of property between the city of Los Angeles proper and steamship wharves and docks located at Los Angeles Harbor, namely, Wilmington and San Pedro.