

JR

Decision No. 82112

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Bayview Trucking, Inc.,  
for authority to charge less than  
minimum rates in Minimum Rate Tariff  
No. 2 for E-T Industries, Inc., as  
provided in Section 3666 of the  
Public Utilities Code.

Application No. 54301  
(Filed September 4, 1973)

INTERIM OPINION AND ORDER

Bayview Trucking, Inc., presently providing service as a permitted carrier, requests authority to transport wheels, iron or steel, requiring or suitable for use with tires, without tires, in cartons, from Torrance to Benicia in truckload lots of not less than 45,000 pounds per unit of equipment for the account of E-T Industries, Inc., Benicia, at rates less than the minimum rates set forth in Minimum Rate Tariff 2 (MRT 2).

The minimum rates in MRT 2 for said transportation are determined as follows:

Commodity: National Motor Freight Classification Item  
197592 Sub 2.

Class 37 1/2 T/L 30,000 lbs. minimum.

Distance: Distance Table 7, 448 constructive miles.

Rate: \$1.14 cwt., 30,000 lbs. minimum.

Applicant proposes to charge the following rates:

Scope: From Torrance, California, to  
Shipper Distribution Warehouse  
at Benicia, California.

Rate: 110% of Class 35.4 in Minimum  
Rate Tariff 2.

Minimum Charge: 45,000 lbs. per unit of carrier's  
equipment.

Loading: Consignor is required to load  
carrier's equipment without expense  
to carrier.

Unloading: Carrier will furnish driver only to  
assist consignee unloading.  
Charges for excess unloading time,  
as provided in Minimum Rate Tariff  
2, will be applicable.

Applicant expects to transport three truckloads a week and anticipates revenues of \$364.50 per load, offset by expenses of \$220.59, resulting in a profit of \$143.91.

It is alleged that E-T Industries, Inc. recently purchased the manufacturing plant at Torrance and after investigation has determined that the break-even point of private carriage is near the proposed rate; that the shipper prefers for-hire contract transportation and will enter into a contract with applicant covering the proposed transportation; and that the granting of the application will not divert traffic from other carriers.

The certificate of service indicates that a copy of the application was served upon the California Trucking Association. No objection to the granting of the application has been received.

Based upon the allegations set forth in the application and subject to future public hearing, the Commission finds the proposed rates are reasonable for the transportation to be performed.

The Commission concludes that applicant 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.



APPENDIX A

Carrier: Bayview Trucking, Inc.

Consignor: E-T Industries, Inc.

Point of Origin: The plant of E-T Industries, Inc. at Torrance.

Consignee: E-T Industries, Inc.

Point of

Destination: The distribution plant of E-T Industries, Inc. at Benicia.

Commodity: Wheels, iron or steel, requiring or suitable for use with tires, without tires, in cartons, subject to Item 197594 of the National Motor Freight Classification naming attachments at the same rate.

Rate: 110 percent of Class 35.4 in Minimum Rate Tariff 2.

Minimum Weight: 45,000 pounds per unit of carrier's equipment. —

Note 1. Shipper shall load carrier equipment without expense to carrier.

Note 2. Carrier shall furnish driver only to assist unloading. Excess unloading time over two hours shall be charged at rates provided for in Item 145 of Minimum Rate Tariff 2.