

ORIGINALDecision No. 82134

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 H and L Transport, Inc., a corporation,
 for an order authorizing departure from
 the rates, rules and regulations of
 Minimum Rate Tariff No. 14-A pursuant to
 the provisions of Section 3666 of the
 Public Utilities Code, for the transpor-
 tation of alfalfa hay cubes from points
 in Kern, Tulare and Fresno Counties to
 Gonzales and Quien Sabe and for the
 transportation of beet pulp from
 Mendota to Tulare County.

Application No. 54007
 (Filed May 3, 1973)

ORDER EXTENDING TIME
AND SETTING ASIDE SUBMISSION

Decision No. 81393 dated May 15, 1973 granted interim authority to applicant to charge less than minimum rates for the transportation of alfalfa hay cubes for Wilbur-Ellis Co. from locations in Kern, Tulare, and Fresno Counties to feedlots adjacent to Gonzales or Quien Sabe feedlot and for the transportation of beet pulp for Gill Bros. Feed Yard from Spreckels' plant in Mendota to the shipper's facility in Tulare. The rates vary depending on origin, destination, and commodity, and they are all subject to a minimum weight of 52,000 pounds per shipment. The authority is scheduled to expire November 15, 1973. The decision provided that the application would be set for public hearing for the receipt of evidence prior to the expiration date.

Public hearing was held on October 15, 1973. The matter was submitted subject to the receipt of a written stipulation by applicant and California Trucking Association regarding certain issues. The parties have now informed the Commission that they cannot agree on the stipulation. The California Trucking Association

has requested a further hearing. Applicant does not object. In the circumstances, the submission will be set aside and the matter will be scheduled for further hearing in the near future. In order to avoid any lapse of the interim authority prior to the issuance of the final decision, it will be extended for an additional three months.

At the hearing, applicant requested that the proposed rates for the transportation of alfalfa hay cubes from Zones A, B, C, and D to Gonzales be increased by 1, $3/4$, $3/4$, and $1/2$ cent, respectively. This, it asserted, is to give effect to increases in costs which have been experienced on the hauls to Gonzales during the period the interim rates have been in effect over those anticipated when the application was originally filed. The extension of the interim authority will provide for these increases. Also, there was some confusion at the hearing regarding the reference to Distance Table 7 in the descriptions of the locations of Gonzales and Quien Sabe in Appendix A to Decision No. 81393. The reference therein is to Western Motor Tariff Bureau Distance Table 7 and not the Commission's. In the Commission's Distance Table 7 Gonzales is a red point and Quien Sabe is 12 miles east of Tres Pinos.

IT IS ORDERED that:

1. The expiration date of the interim authority granted to H and L Transportation, Inc. by Decision No. 81393 is extended to February 15, 1974 with the modification that the rates on alfalfa hay cubes from Zones A, B, C, and D to Gonzales shall not be less than 27, $30-3/4$, $25-3/4$, and 25 cents per 100 pounds, respectively.

2. The submission of Application No. 54007 is set aside and further hearing shall be scheduled in the near future.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 13th
day of NOVEMBER, 1973.

Vernon L. Stenger
President
William J. Synovian
Harold W. Howard
Paul W. [illegible]
[illegible]
Commissioners