

Decision No. 82476

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of CLIFFORD L. AKSLAND,)
doing business as SUNRISE TRANSPOR-)
TATION, for authority under the)
provisions of Section 3666 of the)
Public Utilities Code, to deviate)
from the minimum rates in Minimum)
Rate Tariff No. 2 for the trans-)
portation of bulk sugar for AMSTAR)
CORPORATION, SPRECKELS SUGAR DIVI-)
SION, MENDOTA PLANT NO. 4, Mendota,)
California to points in Southern)
California.)

Application No. 54345
(Filed September 24, 1973;
amended September 28, 1973)

Frank Loughran, Attorney at Law, for applicant.
Asa Button, for Spreckels Sugar Division, Amstar
Corporation; James Orear, for California and
Hawaiian Sugar Co.; and Arthur D. Maruna,
Herbert W. Hughes, and A. D. Poe, Attorney at
Law, for California Trucking Association;
interested parties.
J. L. Glovka, for the Commission staff.

O P I N I O N

Applicant holds a highway contract carrier permit, dump truck carrier permit, and a highway common carrier certificate for transportation of bakery goods within central California. By this application he seeks authority to assess less than minimum rates for the transportation of granulated sugar, in bulk, in tanker equipment from Spreckels Sugar Company Plant No. 4, Mendota, to points located in the counties of Los Angeles, Orange, Riverside, Ventura, and San Bernardino.

Public hearing was held before Examiner O'Leary at San Francisco on November 30, 1973 at which time the matter was submitted.

Applicant's proposed rates and the minimum rates are as follows:

<u>Constructive Mileage</u>	<u>Minimum Rate in Cents Per Hundred Lbs.</u>	<u>Proposed Rate in Cents Per Hundred Lbs.</u>
240 to 260	80	65
260 to 280	84	70
280 to 300	90	75
300 to 325	95	82

Applicant testified that for a number of years he has transported sugar from Mendota Plant No. 4 of Amstar Corporation, Spreckels Sugar Division (Spreckels), located on Highway 180 about five miles east of Mendota, California, to the warehouse location of the same company in Los Angeles, California. Said traffic has been transported at applicable rail rates published by the railroads for application between the Mendota Plant and the Los Angeles facilities. Spreckels redistributes the traffic from the Los Angeles warehouse to various points in southern California located within the following southern California counties: Los Angeles, Orange, Riverside, Ventura, and San Bernardino. The redistribution is made by local motor carriers at the applicable local minimum rates provided in the Commission's minimum rate tariffs. Applicant further testified that this kind of service involves costs which would not exist provided service could be made at equitable rates direct from the origin to the places of business of the consignees located in these counties. Compared with the kind of service which would be covered by the rates proposed here, the method of distribution presently employed involves extra loading and unloading, unnecessary warehouse handling, and frequently unnecessary transportation, in that a truck en route to the warehouse sometimes has a cargo intended for destination along the route between the warehouse and the place where the customer wants to have his sugar ultimately delivered.

Revenue and expense data submitted by the applicant disclose that the proposed rates will be compensatory.

Findings

1. The proposed rates will be compensatory.
2. The proposed rates are reasonable and justified.

The Commission concludes that the sought authority 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 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. Clifford L. Aksland, doing business as Sunrise Transportation, is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 2 by charging rates less than the applicable rates to the extent set forth in Appendix A attached hereto and made a part hereof.

2. 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 13th
day of FEBRUARY, 1974.

Vernon L. Stinson
President
William J. ...
...
...
Commissioners

APPENDIX A
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Carrier: Clifford L. Aksland, doing business as
Sunrise Transportation.

Shipper: Amstar Corporation, Spreckels Sugar
Division.

Commodity: Granulated sugar in bulk.

Origin: Amstar Corporation, Spreckels Sugar
Division, Mendota Plant No. 4, located
on Highway 180 approximately 5 miles
southeast of Mendota.

Destinations Within the Following
Constructive Mileage Brackets

Rate in
Cents per
Hundred Pounds

Over 240 but not over 260 miles	65
Over 260 but not over 280 miles	70
Over 280 but not over 300 miles	75
Over 300 but not over 325 miles	82

Minimum Weight: 52,000 pounds.

APPENDIX A
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Conditions:

1. Applies only in connection with straight shipments of commodity named in this item.
2. Applies only to shipments in bulk in hopper-type equipment gravity loaded by shipper and gravity unloaded by consignee.
3. Except as otherwise provided herein, the rules and regulations of Minimum Rate Tariff 2 shall govern.
4. Minimum weight applies to each unit of carrier's equipment used in the transportation of a single shipment; a unit of equipment includes a tractor and two hopper trailers of not less than 575 cubic feet each.
5. Applies only in connection with traffic having destination in the following California counties:
 - Los Angeles
 - Orange
 - Riverside
 - Ventura
 - San Bernardino