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ORIGINAL

Decision No. 82651

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of BASIC MATERIALS TRANSPORT )  
for authority to charge rates other than )  
minimum rates in Minimum Rate Tariff )  
No. 2 as provided in Section 3666 of the )  
Public Utilities Code. )

Application No. 54322  
(Filed September 14, 1973)

SECOND INTERIM OPINION AND ORDER

Decision No. 81925 dated September 25, 1973 authorized Basic Materials Transport (Basic Materials) to deviate from the minimum rates and rules prescribed in the Commission's Minimum Rate Tariff 2 (MRT 2) in connection with the transportation of split delivery shipments for Procter and Gamble Distributing Company (Procter and Gamble).

The above decision was interim, granting this authority for six months. By letter dated January 31, 1974, Basic Materials requested a hearing so that its authority could be extended. It was later determined that there were no protests to an extension for an additional six-month period. A letter received from the California Trucking Association indicates that there is no objection to such extension provided that assessed charges are not less than those which would have accrued under the application of the normal minimum rates.

This authority to deviate from the minimum rates was previously held by Thompson Brothers, Inc. for many years prior to the application by Basic Materials to commence this operation when Thompson Brothers, Inc. discontinued its contract operations for Procter and Gamble. The deviation is not designed to result in lower charges, but simply a different method of billing. The results of a six-week survey of charges were furnished to the Commission. This establishes that during that period the total charges were not below those that would have accrued without the application of the deviation.

The Transportation Division has reviewed this matter and in particular the above-mentioned six-week survey, and is of the opinion that the assessed charges will be not less than those which would have accrued under the otherwise applicable minimum rates, and recommends that the six-month extension be granted by ex parte order.

It appears to the Commission that public hearing is not necessary at this time and that a six-month extension of the authority previously granted herein should be authorized.


IT IS ORDERED that:



1. Basic Materials Transport is hereby authorized an extension of the authority granted in Decision No. 81925 to assess a charge for split delivery service different than the minimum charges otherwise applicable, and to depart from the provisions of the minimum rate orders otherwise applicable, as more particularly set forth in Appendix A to Decision No. 81925, and by this reference made a part hereof.

2. The authority granted herein shall expire six months after the effective date of this order.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 26<sup>th</sup>  
day of MARCH, 1974.

  
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President

  
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Commissioners

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