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ORIGINAL

Decision No. 82964

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of HUMBOLDT PACIFIC
TRANSPORT, INC. for authority to
transport flattened car bodies
from Rancho Cordova, California,
to Oakland, California, for
Schnitzer Steel Products, of
Oakland, California.

Application No. 54565
(Filed January 9, 1974)

Kenneth M. Bareilles, for applicant.
Ed Bill and Herb Hughes, for California
Trucking Association, interested party.

O P I N I O N

Applicant performs transportation pursuant to a radial highway common carrier permit. Authorization is requested to deviate from minimum rates for the transportation of flattened or crushed car bodies on flatbed trailers between Rancho Cordova, Sacramento County, California, and Oakland, Alameda County, California, for Schnitzer Steel Products, Inc. (Schnitzer) of Oakland, California.

Public hearing was held before Examiner O'Leary at San Francisco on March 22, 1974 at which time the matter was submitted. At the hearing applicant amended its application by increasing the minimum weight upon which the sought 30-cent rate applies from 30,000 pounds to 40,000 pounds.

The president of applicant testified that the movement of crushed automobile bodies from Rancho Cordova to Oakland is a continuous movement and that applicant has six pieces of equipment dedicated to it. The witness also testified to the favorable operating

conditions set forth in paragraph 8 of the application. Revenue and expense data submitted disclose that the transportation at the proposed rates will be compensatory.

The representative of the California Trucking Association requested that if the application is granted that it be conditioned upon applicant obtaining a highway contract carrier permit.

The operations of a radial highway common carrier, by definition, do not include services between fixed termini or over a regular route. The application in this matter indicates that the services in issue herein are such services. Thus, it appears that the nature of applicant's present operations would preclude applicant from utilizing the deviation authority.

The authority hereinafter granted will be conditioned upon applicant obtaining a permit to operate as a highway contract carrier and performing the transportation as a highway contract carrier.

Findings

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

The Commission concludes that the application should be granted as set forth in the ensuing order. As conditions may change, the authority will be made to expire one year after the effective date of this order unless sooner cancelled, modified, or extended by order of the Commission.

O R D E R

IT IS ORDERED that:

1. Humboldt Pacific Transport, Inc. is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 2 to the extent set forth in Appendix A attached hereto and made a part hereof, provided it obtains a highway contract carrier permit authorizing such transportation.

2. The authority herein granted shall expire one year after the effective date of this order unless sooner cancelled, modified, 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 5th day
of JUNE, 1974.

Vernon L. Sturgeon
President

William J. Sturgeon, Jr.

William J. Sturgeon, Jr.

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William J. Sturgeon, Jr.

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Commissioners

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APPENDIX A

Carrier: Humboldt Pacific Transport, Inc.

Consignor: Schnitzer Steel Products, Inc.

Point of Origin: Rancho Cordova.

Consignee: Schnitzer Steel Products, Inc.

Point of Destination: Oakland.

Commodity: Flattened or crushed automobile bodies.

Rate: 30 cents per hundred pounds, minimum weight 40,000 pounds.

Note 1. Shipments to be power loaded by consignor at no expense to carrier.

Note 2. Shipments to be power unloaded by consignee at no expense to carrier.

In all other respects the rates and rules in Minimum Rate Tariff 2 shall apply.

