

Decision No. 83065**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 E. A. BAKICH, an individual doing)
 business as E. A. BAKICH TRUCKING,)
 for authority to deviate from mini-)
 mum rates to the extent shown in)
 Exhibit I hereto for the transporta-)
 tion of frozen fruit in drums not)
 requiring protective service in)
 transit and returning empty used)
 drums.)

Application No. 54925
 (Filed June 3, 1974)

O P I N I O N

Applicant holds radial highway common carrier and highway contract carrier permits. By Decision No. 81458 dated June 12, 1973 in Application No. 53677, he was authorized to deviate from the Commission's minimum rates for the transportation of frozen fruits in drums on pallets, and used empty drums for California Farm Products, a division of J. M. Smucker Co., between Watsonville and vicinity and Salinas. The current authority is scheduled to expire June 29, 1974. Applicant here seeks a one-year extension at increased rates.

The rates proposed are 22 cents per 100 pounds, minimum weight 40,000 pounds on frozen fruits, and 31.5 cents per 100 pounds, minimum weight 10,000 on used empty drums. The rates presently authorized are 21 cents and 30 cents, respectively.

Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable for the ensuing year.

The certificate of service shows that a copy of the application was mailed to the California Trucking Association on May 31, 1974. The application was listed on the Commission's Daily Calendar of June 5, 1974. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that applicant's proposal is reasonable. A public hearing is not necessary. The Commission concludes that the application should be granted.

In view of the impending expiration date of the current authority, the order which follows will be made effective June 29, 1974.

O R D E R

IT IS ORDERED that:

1. E. A. Bakich is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 2, by charging rates less than the applicable class rates for the transportation of frozen fruits and empty drums as set forth in Appendix A attached hereto and made a part hereof.

2. The authority granted herein shall expire June 29, 1975.

The effective date of this order shall be June 29, 1974.

Dated at San Francisco, California, this 25th
day of JUNE, 1974.

Vernon L. Spencer
President
William J. Lyons
W. J. Lyons
W. J. Lyons
W. J. Lyons
Commissioners

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Carrier: E. A. Bakich, dba E. A. Bakich Trucking

Shipper: California Farm Products, a division of J. M. Smucker Co.

Commodities: (1) Frozen fruits in drums, on pallets.
(2) Empty used drums.

A. Rate for Transportation of Frozen Fruits in Drums on Pallets

(Subject to Notes 1, 2, 3, and 5)

1. Origin and Destinations

From

California Farm Products plant located at 423 Salinas Road, approximately 1 mile west of Watsonville, California.

To

- (a) Plant of J. M. Smucker Co. located at 1275 Hansen Street, Salinas, California.
- (b) Warehouse of Growers Ice Co. located at Abbott and Merrill Streets, Salinas, California.

2. Rate

Twenty-two cents (22¢) per 100 pounds, minimum weight 40,000 pounds.

B. Rate for Transportation of Empty Used Drums on Pallets
(Subject to Notes 1, 3, and 4)

1. Origin and Destination

From

Plant site of J. M. Smucker Co. located at 1275 Hansen Street, Salinas, California.

To

California Farm Products a division of J. M. Smucker Co., plant located at Railroad Avenue and Salinas Road, Watsonville California.

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2. Rate

Thirty-one and a half cents (31-1/2¢) per 100 pounds, minimum weight 10,000 pounds.

C. Notes Limiting Application of Rates

1. Shipments must be power-loaded at origin and power-unloaded at destination by the shipper.
2. Bill of lading must state "protective service is not required."
3. Minimum rate applies to each unit of the carrier's equipment used in the transportation of a single shipment. A unit of equipment includes a tractor and one set of doubles - flat beds.
4. Rates apply only when carrier has transported outbound for shipper a cargo subject to Section A rates.
5. No split delivery service to be accorded.