

ORIGINALDecision No. 84052

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investi-)
 gation into the rates, rules,)
 regulations, charges, allowances)
 and practices of all common)
 carriers, highway carriers and)
 city carriers relating to the)
 transportation of any and all)
 commodities between and within)
 all points and places in the)
 State of California (including,)
 but not limited to, transporta-)
 tion for which rates are pro-)
 vided in Minimum Rate Tariff)
 No. 15).)

Case No. 7783
 Petition for Modification
 No. 113
 (Filed January 7, 1975)

OPINION AND ORDER

Boyd Trucking Co., a corporation, operates as a highway common carrier. By this petition it seeks authority to continue to publish and maintain vehicle unit rates and charges lower than those prescribed as minimum in Minimum Rate Tariff 15 for the transportation of lumber and forest products between points within 250 miles of Anderson. Petitioner also requests that the authority be modified by: (a) increasing the monthly vehicle unit charge from \$1,700 per unit to \$2,050; (b) increasing the hourly rate for excess hours from \$9.30 to \$11.50; and (c) decreasing the mileage rate from 23.5 cents per mile to 22.0 cents per mile.

Exhibits attached to the petition show that the service performed at the rates authorized have been profitable. Petitioner states that its labor contract expires with June 30, 1975, and no new agreement has yet been negotiated. Petitioner declares that the sought rate adjustments should

be sufficient to absorb any increased expenses which may be incurred and still retain a reasonable profit from the operation.

Petitioner points out that the operation will continue to be substantially the same as that which has been performed for Kimberly-Clark since the rate deviation was initially authorized by Decision No. 77605 in 1970. Petitioner alleges that the threat of proprietary operations, still prevails and the revenues gained from the involved services represent a significant part of its gross income and are essential to the business and the service it is providing.

In the circumstances, the Commission finds that the proposed rates are reasonable and justified by transportation conditions. A public hearing is not necessary. The Commission concludes that the petition should be granted.

IT IS ORDERED that:

1. Boyd Trucking Co., a corporation, is hereby authorized to extend the expiration date of the rates authorized by Decision No. 82481 to February 11, 1976 with the following modifications:

- (a) The monthly vehicle charge may be increased from \$1,700 per unit to \$2,050.
- (b) The hourly rate for excess hours may be increased from \$9.30 to \$11.50.
- (c) The mileage rate may be decreased from 23½ cents per mile to 22 cents per mile.

2. Rates published in accordance with the authority herein granted shall contain the following restrictions:

- (a) Limited to the transportation of lumber and forest products between Anderson, California, on the one hand, and points

within 250 miles of Anderson, excluding Camino, on the other hand.

(b) Limited to shippers who contract for the rental of at least five units of equipment.

3. Tariff publications authorized to be made as a result of the order herein may be made effective on not less than one day's notice to the Commission and to the public.

4. Petitioner, in establishing and maintaining the rates authorized above, is authorized to depart from the provisions of Section 460 of the Public Utilities Code. Schedules containing the rates published under this authority shall make reference to this order.

The effective date of this order is the date hereof.

Dated at San Diego, California, this 4th day of February, 1975.

Leon L. Sturgeon
President
William Aguilar Jr.
Edward J. ...
Leonard Ross
Commissioners