

**ORIGINAL**Decision No. 84552

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION)  
 OF FEDERAL REFRIGERATED TRANS- )  
 PORTATION CO. FOR AN ORDER )  
 AUTHORIZING DEPARTURE FROM THE )  
 MINIMUM RATES AND RULES PURSUANT )  
 TO THE PROVISIONS OF MINIMUM )  
 RATE TARIFF NO. 15 FOR THE )  
 TRANSPORTATION OF ALUMINUM CANS )  
 AND RELATED PRODUCTS FOR THE )  
 ACCOUNT OF SCHLITZ BREWING COM- )  
 PANY UNDER VEHICLE UNIT RATES )  
 AS ESTABLISHED UNDER MINIMUM )  
 RATE TARIFF NO. 15. )

Application No. 55634  
 (Filed April 16, 1975)

INTERIM OPINION AND ORDER

Federal Refrigerated Transportation Co., a corporation, operates as a highway permit carrier. By this application, it seeks authority to deviate from the minimum rates in Minimum Rate Tariff 15 (MRT 15) in connection with the transportation of aluminum cans and related articles for Schlitz Brewing Company. Applicant requests ex parte action in this matter or interim relief in the event that a hearing is deemed necessary.

Applicant proposes to operate two 8-hour shifts per day in the same equipment with a different driver on each shift and to assess charges for the first shift based on the applicable minimum yearly vehicle unit rates in MRT 15 and a charge of \$1,963.08, plus the applicable mileage rates in said tariff for the second shift.<sup>1</sup>

<sup>1</sup> By letter, dated April 28, 1975, applicant informed the Commission that the contract with the Western Conference of Teamsters does not require premium time for the second shift and the equipment utilized in performing the transportation will be a 53-foot van and a 2-axle diesel tractor.

Applicant states that it has hauled brewery products and related articles for Schlitz Brewing Company for over 25 years and the sought authority is required to reflect the specialized needs and operations of the shipper and itself and to avoid loss of traffic to proprietary operations.

Copy of the application was mailed to California Trucking Association on or about April 15, 1975. The application was listed on the Commission's Daily Calendar of April 18, 1975. No objection to the granting of the application on an interim basis has been received.

Subject to further review upon consideration of evidence which may be adduced at a public hearing, the Commission finds that the proposed rates are reasonable. The Commission concludes that applicant should be granted interim authority pending hearing in this matter. A future hearing will be scheduled in this proceeding.

IT IS ORDERED that:

1. Federal Refrigerated Transportation Co., a corporation, is authorized to depart from the provisions of Note 2 of Item 211 of Minimum Rate Tariff 15 in connection with transportation of aluminum cans and related articles for Schlitz Brewing Company by assessing the applicable minimum yearly vehicle unit rates in said tariff for the first of two 8-hour shifts per day in the same equipment with a different driver for each shift and \$1,963.08 plus the applicable mileage rates in Item 510 of the tariff for the second 8-hour shift.

2. In all other respects, the provisions of Minimum Rate Tariff 15 shall apply.

3. A public hearing shall be scheduled in this proceeding for the receipt of evidence on this application and full disposition thereof.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 17<sup>th</sup> day of  
June, 1975.

Vernon L. Sturgeon  
President

William J. ...

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Leonard Ross

Robert ...  
Commissioners