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Decision No. 84975

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Lane Drayage )  
Inc., for authority to deviate )  
from MRT 2, in regards to full )  
truckload shipments for the )  
Coca-Cola Bottling Company of )  
Belmont under Section 3666 of the )  
Public Utilities Code. )

Application No. 55939  
(Filed September 16, 1975)

OPINION AND ORDER

Lane Drayage Inc., a corporation, operates as a radial highway common carrier and highway contract carrier. By this application, it seeks authority to deviate from the minimum rates in Minimum Rate Tariff 2 (MRT 2) in connection with the transportation of flavored or phosphated beverages for Coca-Cola Bottling Company of Belmont from Belmont to various points in northern California.

Applicant states that it has been transporting the products of Coca-Cola Bottling Company of Burlingame and Coca-Cola Bottling Company of Palo Alto for 26 years. Applicant avers that the former company recently purchased the latter company and consolidated these privately owned dealerships by building a new plant facility at Belmont. According to applicant this facility, the Coca-Cola Bottling Company of Belmont, now produces and sells canned Coca-Cola products to privately owned bottling plants in competition with Coca-Cola Company, USA, which uses its own proprietary fleet of trucks in serving such bottling plants from its San Leandro facility.

Applicant alleges that it has been informed by Coca-Cola Bottling Company of Belmont that the rates set forth in MRT 2 for the movement of its products from Belmont to its distribution points do not allow it to be competitive with Coca-Cola Company,

USA. Applicant declares that, unless the sought rate relief is granted, the aforementioned shipper will purchase the necessary vehicular equipment and conduct a proprietary operation.

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

The certificate of service indicates that a copy of the application was mailed to California Trucking Association on September 5, 1975. The application was listed on the Commission's Daily Calendar of September 19, 1975. No objection to the granting of the application has been received.

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

IT IS ORDERED that:


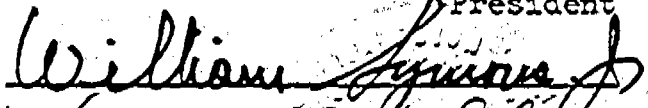


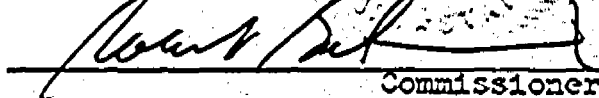
1. Lane Drayage Inc., a corporation, is authorized to transport flavored or phosphated beverages for Coca-Cola Bottling Company of Belmont at rates less than the applicable minimum rates but not less than those set forth, and subject to the conditions specified, in Appendix A, attached hereto and by this reference made a part hereof.

2. The authority granted herein shall expire one year after the effective date of this order unless sooner canceled, modified or extended by order of the Commission.

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The effective date of this order is the date hereof.

Dated at San Francisco, California, this 7<sup>th</sup> day  
of October, 1975.

  
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President  
  
  
\_\_\_\_\_  
Vernon L. Sturgeon  
  
\_\_\_\_\_  
Leonard Ross  
  
\_\_\_\_\_  
Commissioners

## APPENDIX A

Lane Drayage Inc. is authorized to transport beverages, flavored or phosphated, in metal cans in boxes on pallets, from Coca-Cola Bottling Company, Belmont, to the following locations at the charges indicated:

<u>Location</u>	<u>Charges in Dollars per Shipment</u>
Chico	\$227.00
Eureka	346.00
Marysville	207.00
Monterey	178.00
Redding	287.00
Salinas	148.00
Santa Maria	316.00
Stockton	138.00
Vallejo	118.00

The above charges are subject to the following conditions:

1. The maximum weight per shipment shall be 43,275 pounds for products containing sugar and 41,000 pounds for diet preparations.
2. Shipments are to be loaded by shipper without assistance of carrier's personnel.
3. Loads will be available twenty-four hours a day for pickup by carrier at its convenience.
4. Empty pallets will be returned at no additional charge provided that the returning pallets are tendered for return trip at the same time as the shipment of beverages is tendered for delivery.
5. Shipments will be power unloaded by consignee at its dock or lifted off the rear of van with power equipment by consignee.
6. Shipments are to be prepaid.
7. In all other respects, the rates and rules set forth in Minimum Rate Tariff 2 will apply.

(END OF APPENDIX A)