

Decision No. 85031**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of KINGS COUNTY TRUCK LINES  
for authority to charge less than the  
minimum rates heretofore established by  
the Commission, as authorized in Section  
3666 of the Public Utilities Code of the  
State of California.

Application No. 55371  
(Filed December 10, 1974;  
amended January 13, 1975,  
February 3, 1975, and  
July 18, 1975)

O P I N I O N

Kings County Truck Lines, a corporation, operates as a highway contract carrier and radial highway common carrier. By this application it requests authority to charge less than the otherwise governing minimum rates prescribed in Minimum Rate Tariff 2 for shipments of ice cream from Modesto to Los Angeles for the account of Knudsen Food Products Corporation.

By interim order in Decision No. 84298 dated April 8, 1975 the relief sought was granted on an interim basis pending hearing. On July 18, 1975 applicant filed its third amendment to the application wherein it seeks modification of the authority granted by Decision No. 84298. A description of applicant's operation pertaining to the transportation is set forth in Decision No. 84298 and need not be repeated herein. Attached to the third amendment to the application as Appendix C is a calculation of applicant's costs which shows applicant's operating ratio for the subject transportation to be 89.8 percent.

No objections to the granting of the application have been received.

Findings

1. The rate sought by applicant and authorized on interim basis by Decision No. 84298 applies only when the transportation is preceded by transportation of the same commodity northbound by another shipper.

2. There is a cost saving directly attributable to applicant's transportation of the commodity involved.

3. The proposed rate is compensatory, reasonable, and justified.

4. A public hearing is not necessary.

The Commission concludes that the application should be granted to the extent set forth in the ensuing order and that Ordering Paragraph 2 of Decision No. 84298 should be rescinded.

Since conditions under which the service is performed may change at any time, the authority granted in the ensuing order will expire at the end of one year unless sooner canceled, modified, or extended by order of the Commission.

O R D E R

IT IS ORDERED that:

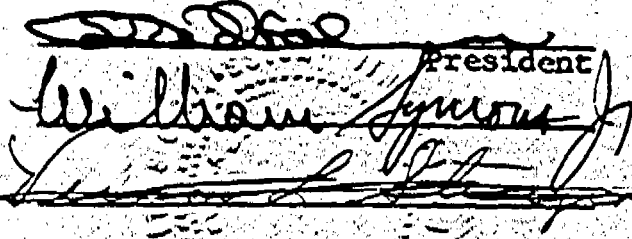

1. Kings County Truck Lines is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 2 by charging the rate set forth in Appendix A of this decision. This authority does not include any deviation from any rates, rules, or regulations except as specifically set forth in Appendix A.

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

3. The authority granted herein supersedes the authority granted by Decision No. 84298.

4. Ordering Paragraph 2 of Decision No. 84298 is rescinded.  
The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 21<sup>st</sup>  
day of OCTOBER, 1975.

  
President  
  
Commissioners

*I abstain*  
*Vernon L. Sturgeon*

Commissioner Leonard Ross, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

Shipper: Knudsen Foods Corporation

Commodity: Ice Cream

Origin: Modesto

Destination: Los Angeles

Rate: \$299.00 per load. Includes temperature control service.  
Subject to Notes 1 to 5:

- Note 1. Rate applies only on prepaid shipments.
- Note 2. Rate applies only on shipping days of Monday, Thursday, Friday and Saturday; and then only when the load is immediately preceded by loads from Baskin-Robbins, Burbank, California.
- Note 3. Rate will not apply during any calendar week during which a minimum of one load per day, three out of the four shipping days of the week, is not tendered to carrier.
- Note 4. Maximum of two loads per day, three out of the four shipping days of the week. Total of six loads per week.
- Note 5. All other provisions of the Minimum Rate Tariff No. 2 apply.