

ORIGINAL

Decision No. 85054

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of Russell Truck Company, a
California Corporation, for
authority to change the unit of
measurement in Cal. P.U.C. Minimum
Rate Tariff 15.

Application No. 55917
(Filed September 8, 1975)

O P I N I O N

Applicant Russell Truck Company, operating as a highway permit carrier, seeks authority to establish a scale of distance commodity rates, in lieu of the otherwise governing vehicle unit rates named in Minimum Rate Tariff 15 (MRT 15), when transporting empty cans for the Continental Can Company between points in southern California. The charges resulting under the proposed rates are to be no lower than those computed at the vehicle unit rates named in MRT 15.

Applicant states that charges for truckload shipments of empty cans, minimum weight 20,000 pounds, determined under the distance commodity rates named in Item 640 of MRT 2 are higher than when the charges are computed at the vehicle unit rates provided in MRT 15 for the same shipment transported within a 40-mile radius of Continental Can Company's plant locations. Under the circumstances, applicant entered into written agreements with Continental Can Company on September 1, 1974 for the transportation of empty cans subject to charges determined under the vehicle unit rate provisions of MRT 15, in lieu of the otherwise governing minimum rate provisions named in MRT 2.

Applicant alleges that the freight charges generated under the proposed distance commodity rates will be no lower than those resulting under the governing vehicle unit rate provisions of MRT 15. It is contended that the sought rate relief will permit billing procedures to be changed so that freight charges can be pre-determined at time of shipment and promptly added to the invoices issued by Continental Can Company to its customers. It is further explained that any subsequent accessorial freight charges would be reflected in the shipping documents issued by applicant. Finally, it is alleged that the sought relief will enable both applicant and shipper to assess and collect transportation charges in a more efficient manner.

The application was listed on the Commission Daily Calendar for September 10, 1975. No protest or request for public hearing has been received.

Findings

1. The favorable circumstances and conditions attendant to the transportation performed by applicant for Continental Can Company are not generally present in the usual or ordinary transportation service performed by highway carriers under the governing provisions of MRT 15.

2. Applicant's proposed distance commodity rates for the transportation of empty cans has been shown to be reasonable.

Conclusions

1. Application No. 55917 of Russell Truck Company should be granted.

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

3. A public hearing is not required.

O R D E R

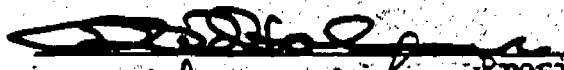
IT IS ORDERED that:

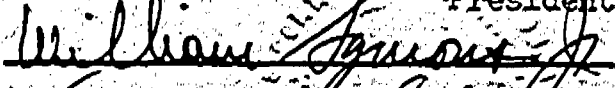
1. Russell Truck Company, operating as a highway permit carrier, is authorized to depart from the provisions of Minimum Rate Tariffs 2 and 15 to the extent set forth in Appendix A of this decision.

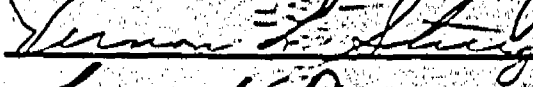
2. The authority granted shall expire on December 31, 1976 unless sooner canceled, modified, or extended by order of the Commission.

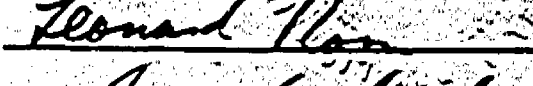
The effective date of this order is the date hereof.

Dated at San Francisco, California, this 28th day of OCTOBER, 1975.



President






Commissioners

A. 55917 kw

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Carrier: Russell Truck Company.

Shipper: Continental Can Company.

Commodities: Empty cans as described in Item 640 of MRT 2.

Base of Operations: Continental Can Company plants located at:

(1) 5650 Grace Place
City of Commerce, California

(2) 8201 Woodley
Van Nuys, California

(3) 3820 Union Pacific
Los Angeles, California

(4) Temporary locations (Rule 7)

Destinations: Points located within Los Angeles Metropolitan Zones
201 through 250, and 252 through 262. (Subject to
Rule 7.)

Minimum Weight: 20,000 pounds per truckload.

Distance Commodity Rates:

<u>Miles</u>		<u>Rates</u>
<u>Over</u>	<u>But Not Over</u>	<u>(In Cents per 100 Pounds)</u>
0	3	26
3	5	29
5	10	32
10	15	35
15	20	38
20	25	42
25	30	46
30	35	50
35	40	54

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Rules:

1. Charges will not be less than if rated under MRT 15. All freight bills rated at the proposed commodity rates will also include the total number hours and actual round-trip miles to enable verification that charges are not lower than if rated under MRT 15.
2. Distance Table 7 issued by Cal. P.U.C. will be used in determining rate to be assessed under the proposed commodity rate scale.
3. Each truck utilized by shipper will be subject to a minimum charge of four hours service at the applicable rate published in MRT 15.
4. All shipments will be prepaid by shipper subject to provisions of Item 770 of National Motor Freight Classification 100-B.
5. One hour free time will be allowed for loading, and one hour free time will be allowed for unloading. Excess time will be charged at the applicable hourly rate in MRT 15.
6. Rates will be increased or reduced in proportion to adjustments in MRT 15.
7. The proposed rates will apply to shipments from or to any temporary locations operated by shipper within the Los Angeles Metropolitan Zones 201-250 and 252-262.