

Decision No. 85251**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Applica-)
 tion of:)

OSTERKAMP TRUCKING, INC.)

a corporation, for authority to)
 deviate from the provisions of)
 Minimum Rate Number 2 in con-)
 nection with the transportation)
 of boxes, fibreboard, paper,)
 paperboard, or pulpboard, KDF,)
 in truckload lots, for the Men-)
 sha Corporation, pursuant to the)
 provisions of Section 3666 of the)
 California Public Utilities)
 Code.)

Application No. 56043
 (Filed October 31, 1975)

OPINION AND ORDER

Osterkamp Trucking, Inc., a corporation, operates as a highway permit carrier. By this application, it seeks authority to deviate from the minimum rates in Minimum Rate Tariff 2 in connection with the transportation of fibreboard boxes and related products for Menasha Corporation between Anaheim and points in Riverside and Imperial Counties within 190 to 240 miles of said city.

Applicant states that it has been transporting the products of Menasha Corporation for more than ten years and has enjoyed certain circumstances which make the proposed operation especially favorable. Applicant avers that these circumstances include heavy load weights, long hour availability for loading and unloading, proximity of its terminal to the point of origin and the ideal distance of haul.

Applicant declares that the boxes in question are primarily used for the packing of fresh harvested produce and the weight of such boxes is nearly double that of other boxes. Applicant alleges that the boxes are strapped and banded to pallets to allow forklift loading and unloading without driver's assistance. Applicant contends

that loading and unloading of such shipments are generally accomplished in less than two hours and one hour, respectively.

Applicant asserts that it has been informed by the shipper that it will lose this valuable traffic to proprietary operations unless the sought rate relief is granted. Applicant states that the shipments in question will commence to move early in December and expedited action in this matter is necessary because of the seasonal nature of this movement and its dependence to a certain degree on weather conditions.

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

The application was listed on the Commission's Daily Calendar of November 4, 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 to the extent indicated in the ensuing order.

In view of the urgency in this matter, this order will be made effective on the date hereof.

IT IS ORDERED that:


1. Osterkamp Trucking, Inc., a corporation, is authorized to transport fibreboard boxes and related products for Menasha Corporation 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 cancelled, 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 16th day
of December, 1975.



President




William J. Synovis



Leonard R. Roz



Leonard R. Roz



Paul R. Katz

Commissioners

APPENDIX A

Osterkamp Trucking, Inc., is authorized to transport boxes, fibreboard, paper, paperboard or pulpboard, K. D. F., for Menasha Corporation between Anaheim and points in Riverside and Imperial Counties within 190 to 240 constructive miles of said city at the rates indicated:

<u>Constructive Miles</u>		<u>Rates in Cents Per 100 Pounds</u>
<u>Over</u>	<u>But Not Over</u>	
190	200	62
200	220	65
220	240	69

Minimum Weight 45,000 pounds.

These rates apply only when shipments are loaded into carrier's equipment by forklift by the consignor and unloaded from the carrier's equipment by forklift by the consignee without driver assistance and at no cost to the carrier. The shipping document shall indicate that the shipment was loaded by the consignor and is to be unloaded by the consignee under the conditions herein described. Consignee shall certify unloading in accordance with instructions.

In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(End Of Appendix A)