

Decision No. 85483**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
 tion for the purpose of consid-)
 ering and determining minimum)
 rates for transportation of any)
 and all commodities statewide)
 including, but not limited to)
 those rates which are provided)
 in Minimum Rate Tariff 2 and the)
 revisions or reissues thereof.)

Case No. 5432
 Petition for Modification
 No. 878
 (Filed January 15, 1976)

OPINION AND ORDER

Boyd Trucking Co., a corporation, operates as a highway common carrier. By this petition, it seeks authority to continue to publish rates lower than those prescribed as minimum in Minimum Rate Tariff 2 for the transportation of incense cedar pencil stock from Anderson, including all points within the railhead limits of Anderson, to San Leandro. The current published rate and authority are scheduled to expire with February 28, 1976. Petitioner also requests that the authority be modified by: (a) increasing the rate from 42 to 48 cents per 100 pounds effective February 29, 1976, and from 48 to 51 cents per 100 pounds effective June 1, 1976, and (b) eliminating the condition that two trucks shall move together from Anderson to San Leandro.

The petition is based on special circumstances and conditions detailed therein.

Revenue and expense data submitted by petitioner indicate that the transportation involved may reasonably be expected to be profitable under the proposed rates.

The petition was listed on the Commission's Daily Calendar of January 22, 1976. No objection to the granting of the petition has been received.

In the circumstances, the Commission finds that the proposed rates are reasonable and justified by transportation conditions. A public hearing is not necessary. The Commission concludes that the petition should be granted.

In view of the impending expiration date of the current authority, this order will be made effective on the date hereof.

IT IS ORDERED that:

1. Boyd Trucking Co., a corporation, is hereby authorized to publish and file a rate of 48 cents per 100 pounds, for the period, February 29 to and including May 31, 1976, and 51 cents per 100 pounds for the period, June 1, 1976, to and including February 28, 1977, minimum weight 90,000 pounds per shipment, for the transportation of incense cedar pencil stock from Anderson, including all points within the railhead limits of Anderson, to San Leandro, and further subject to the following conditions:

(a) The lumber shall be prepared for shipment by the consignor.

(b) The operation shall be conducted on a continuous 24-hour basis and in excess of 225 days a year.

(c) Loading of the lumber at Anderson and unloading at San Leandro shall be performed by consignor and consignee, respectively, with forklift trucks supplied by, and operated by employees of consignor and consignee.

2. Tariff publications authorized to be made as a result of the order herein may be made effective on not less than five days' notice to the Commission and to the public.

3. Boyd Trucking Co., in establishing and maintaining the rates authorized above, is authorized to depart from the long- and short-haul provisions of Section 461.5 of the Public Utilities Code to the extent necessary to exercise the authority granted herein. Schedules containing the rates published under this authority shall make reference to this order.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 18th day of
February, 1976.

President
William S. Quinn
Vernon L. Stinger
J. Row
Walter Smith
Commissioners