

Decision No. 85650

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of J. S. Shafer, Jr.,
for authority, pursuant to Provisions
of Section 3666 of the Public Utilities
Code, to depart from the minimum rates,
rules and regulations of Minimum Rate
Tariff No. 17-A.

Application No. 55672
(Filed May 6, 1975; amended
May 29, September 17,
October 17, 1975, and
March 12, 1976)

FOURTH INTERIM OPINION

Decision No. 84531 dated June 10, 1975, as amended,
authorized applicant J. S. Shafer, Jr., to provide transportation
for Griffith Company for \$1.89 per ton. One of the conditions to
this authority was:

"In the event the minimum rate named in Minimum Rate
Tariff 17-A applicable to transportation of rock,
sand, or gravel from Production Area 19-G and
Delivery Zone 19245 is adjusted by order of this
Commission, the rate named above shall be adjusted
proportionately."

Decision No. 85518 dated March 2, 1976 adjusted the rates
in Minimum Rate Tariff 17-A effective April 1, 1976. The rate
from Production Area 19-G to Delivery Zone 19245 increases from
\$2.06 to \$2.30 per ton, an increase of 11.65 percent.

Assembly Bill No. 1352^{1/} increased the allowable gross
vehicle weight from 76,800 pounds to 80,000 pounds. According to
the amended application the added payload is increased 6.44 percent.

Applicant here seeks modification of Decision No. 84952^{2/}
by authorizing an increase of 5.21 percent resulting in a rate of \$1.99
per ton to be made effective on April 1, 1976.

1/ Sections 35550 and 35551, Vehicle Code, Chapter 651, 1975 statute.

2/ Appendix A to Decision No. 84952 superseded Appendix A to
Decision No. 84531. The appendix sets forth in detail the
authority granted.

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Calculations of the net revenue due an underlying carrier, produced by the present authorized rate compared to that which could be generated under the proposed rate indicate an increase of 12.06 percent. The calculations are based on the theoretical payload increase of 24.83 tons per load to 26.43 tons per load.

After consideration it appears that the requested modification is justified. Decision No. 84531 will be modified accordingly.

This application is set for hearing on April 6, 1976 in Los Angeles. At that time applicant will be expected to produce evidence which will reflect the change in productivity based on actual experience.

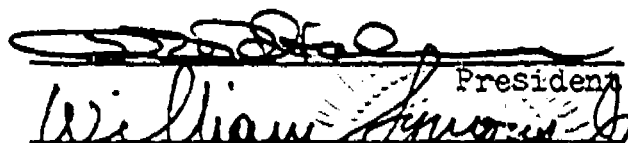
FOURTH INTERIM ORDER


IT IS ORDERED that:

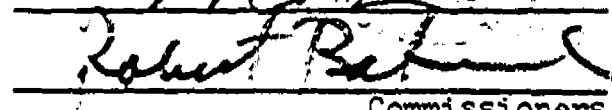
1. Appendix A to Decision No. 84952 is superseded by Appendix A attached hereto.
2. In all other respects Decision No. 84952 shall remain in full force and effect.

The effective date of this order is April 1, 1976.

Dated at San Francisco, California, this 30th day of MARCH, 1976.



President




Commissioners

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APPENDIX A

Shipper: Griffith Company, Wilmington, California.

Commodities: Rock, sand, and gravel as described in Item 60,
Minimum Rate Tariff 17-A.

From: Owl Rock Company, Azusa. Production Area 19-G.
Conrock, Irwindale. Production Area 19-G.

To: Griffith Company, Wilmington Delivery Zone 19245.

Rate: \$1.99 per ton.

Conditions: (a) Charges to underlying carriers for trailer rental shall be 25 percent of the rate authorized herein in connection with transportation services performed by such underlying carriers under the authority described above.

(b) Other than the authority described above, all other provisions of Minimum Rate Tariff 17-A shall apply.