

ORIGINAL

Decision No. 85786

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Trails Trucking,)
 Inc. to deviate from the pro-)
 visions of Minimum Rate Tariff)
 No. 2 under Section 3666 of the)
 California Public Utilities Code)
 to the extent necessary to allow)
 said carrier to transport potato)
 chips, in sealed foil wrappers,)
 in inner containers, in boxes at)
 a Class 65 rating, minimum weight)
 20,000 pounds.)

Application No. 56154
 (Filed December 29, 1975)

INTERIM OPINION AND ORDER

By this application, Trails Trucking, Inc., a corporation, seeks authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of potato chips in sealed foil wrappers, in inner containers, in boxes for Laura Scudder's Snack Foods Division of Pet, Incorporated, from Tracy and Fullerton to points in California.¹ Applicant proposes to assess rates for this transportation based on a truckload rating of Class 65, minimum weight 20,000 pounds, in lieu of the higher any quantity rating of Class 150.

¹ The present and proposed rates, exclusive of any applicable surcharges, for the primary movement of a 20,000-pound shipment are as follows:

<u>From</u>	<u>To</u>	<u>Rates in Cents per 100 Pounds</u>	
		<u>Present</u>	<u>Proposed</u>
Tracy	Fullerton	339	174

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

The application was listed on the Commission's Daily Calendar of December 30, 1975. California Trucking Association informed the Commission that it believes that requests for classification changes should be initially referred to the National Classification Board. Applicant alleges that a similar proposal was filed with such Board on December 10, 1975, but that the requested deviation is necessary because the Board usually takes a year or more to make its decision and the involved traffic is expected to move immediately.

Revenue and expense data submitted by applicant, based on an analysis of owner-operator costs, indicate that the transportation involved may reasonably be expected to be profitable under the proposed rates on an interim basis.

Subject to further review upon consideration of evidence which may be adduced the Commission finds that:

1. The proposed rates are reasonable.
2. Applicant shall direct the underlying carriers involved to measure their cost data for the aforementioned transportation during the interim period of this authority for presentation to the Commission.

The Commission concludes that the application should be granted on an interim basis and the effective date of this order should be the date hereof because there is an immediate need for this rate relief.

IT IS ORDERED that:

1. Trails Trucking, Inc., a corporation, is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 2 as shown in Appendix A attached hereto and by this reference made a part hereof.


2. The authority granted herein shall expire with December 1, 1976, unless sooner cancelled, modified or extended by further order of the Commission.

3. Trails Trucking, Inc., shall provide the Commission and all parties to this proceeding with the data specified in Finding 2 hereof.

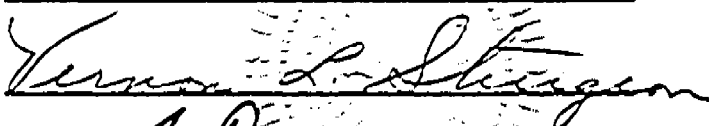
4. A public hearing may be scheduled on this application at a date to be set.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 4th day of May, 1976.




President



Commissioner



Commissioner



Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

Trails Trucking, Inc., a corporation, is authorized to assess a truckload rating of Class 65 with minimum weight of 20,000 pounds for the transportation of potato chips, in sealed foil wrappers, in inner containers, in boxes for Laura Scudder's Snack Foods Division of Pet, Incorporated, from Tracy and Fullerton to points in California.

Shipments shall be on pallets and loaded by consignor and unloaded by consignee.

Payments to underlying carriers in connection with this transportation shall be not less than sixty (60) percent of the revenues accruing under the authorized rates.

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

(END OF APPENDIX A)