

ORIGINAL

Decision No. 85862

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of R. Cali & Bros. )  
 for authority under Section 3666 )  
 of the Public Utilities Code of )  
 the State of California to deviate )  
 from the minimum rates for the )  
 transportation of Fibreboard )  
 Boxes, OTC, KDF for Container )  
 Corporation of America between )  
 Container Corporation of America )  
 plant, and customer points. )

Application No. 56249  
 (Filed January 30, 1976;  
 amended April 12, 1976)

INTERIM OPINION AND ORDER

By this application, as amended, R. Cali & Bros. a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of fibreboard boxes, knocked down flat, for Container Corporation of America between Santa Clara and points in Fresno County.<sup>1</sup>

The application, as amended, is based on special circumstances and conditions detailed herein.

<sup>1</sup>The present and proposed rates in cents per 100 pounds for representative shipments of the aforementioned fibreboard boxes are:

Between Santa Clara And Fresno Kingsburg	(1) <u>Present Rates</u>	<u>Proposed Rates</u>
	<u>Minimum Weight</u> <u>In Pounds</u>	<u>Minimum Weight</u> <u>In Pounds</u>
	<u>36,000</u>	<u>30,000</u>
	87	59
	94	59

(1) Subject to surcharges of \$2.85, 1 percent and 3 percent.

The application and amendment were listed on the Commission's Daily Calendar of February 3 and April 13, 1976, respectively. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that:

1. The cost data, though deficient in certain detail, are sufficient to determine that the proposed rates are compensatory, on an interim basis, for transportation performed by applicant.
2. Applicant shall clarify those areas of its cost data which are deficient in detail prior to the expiration date of the authority herein granted.

The Commission concludes that the application, as amended, should be granted as set forth in the ensuing order and the effective date of this order should be the date hereof because there is an immediate need for this rate relief.

IT ORDERED that:

1. R. Cali & Bros., a corporation, is authorized to perform the transportation shown in Appendix A attached hereto and by this reference made a part hereof at not less than the rates set forth therein.
2. The authority granted herein shall expire with December 1, 1976, unless sooner cancelled, modified or extended by further order of the Commission.
3. R. Cali & Bros. 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 25<sup>th</sup> day of  
May, 1976.

\_\_\_\_\_  
President  
*William L. Sproull, Jr.*  
*Verma L. Sturgeon*  
\_\_\_\_\_  
*Robert Batminal*  
\_\_\_\_\_  
Commissioners

Commissioner D. W. Holmes, being  
necessarily absent, did not participate  
in the disposition of this proceeding.

Commissioner Leonard Ross, being  
necessarily absent, did not participate  
in the disposition of this proceeding.

APPENDIX A

R. Cali & Bros., a corporation, is authorized to transport Fibreboard Boxes, other than corrugated, knocked down flat, for Container Corporation of America between Santa Clara and points in Fresno County at a rate of 59 cents per 100 pounds, subject to a minimum weight of 30,000 pounds.

Conditions:

1. Applicant has not indicated that subhaulers will be engaged nor have any costs of subhaulers been submitted. Therefore, if subhaulers are employed, they shall be paid no less than the rates authorized herein.
2. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)