

Decision No. 85876**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PARKER & SON TRUCKING, INC., a
corporation for an ORDER AUTHORIZING
DEPARTURE FROM THE RATES, RULES &
REGULATIONS OF MINIMUM RATE TARIFF
NO. 2 pursuant to the provisions of
Section 3666 of the Public Utilities
Code for the transportation of beer
in cartons and kegs from Azusa,
California, to Modesto, Stockton,
Sonora, Sacramento, Yuba City,
Salinas, Hayward, Concord, Vallejo,
Napa, Middletown, San Rafael and
Foster City, California, and from
Van Nuys, California, to Sonora,
California.

Application No. 56463
(Filed May 5, 1976)

INTERIM OPINION

Applicant Parker & Son Trucking, Inc., a highway permit carrier, seeks authority to deviate from the minimum rates for the transportation of beer from Miller Brewing Company, Azusa, and Jos. Schlitz Brewing Company, Van Nuys, to 15 distributors located in central California.

According to the application, applicant is presently transporting approximately 100 to 160 loads per month from the breweries to the distributors involved in this application. This transportation is now performed at the applicable rail rate, or a combination of rail and appropriate minimum rates.

Applicant competes with Preston Trucking (Preston), which was granted interim authority similar to that sought herein by Decision No. 84720 in Application No. 55719, and Pellco Trucking, Inc. (Pellco), which seeks similar authority pursuant to Application No. 56375. Both Applications Nos. 55719 and 56375 are scheduled for hearing June 17, 1976.

Applicant points out that the breweries and distributors served by Preston and Pellico compete with the breweries and distributors served by applicant.

According to the application, applicant enjoys a virtual 100 percent load factor due to the southbound transportation service conducted for Leslie Salt Company, Newark. Applicant expects this service to continue, enhancing applicant's ability to perform service at a level beneficial to the shipping public.

After consideration we find that applicant's proposal is justified on an interim basis pending hearing and final determination and conclude that the application be granted to the extent provided in the following order.

Applicant's request that this matter be promptly disposed of and that the order issued be made effective on the date of issuance is justified when consideration is given to the competitive situation discussed above. The order will be made effective on this day.

INTERIM ORDER

IT IS ORDERED that:

1. Parker & Son Trucking, Inc. is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 2 by charging those rates set forth in Appendix A of this decision. This authority does not include any deviation from any rates, rules, or regulations except as specifically set forth in Appendix A.

2. The authority granted shall expire six months after the effective date of this order unless sooner canceled, modified, or extended by order of the Commission.

3. A public hearing shall 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 25th day of MAY, 1976.

President
William J. Sturgeon
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

Commodity: Beer, in kegs or cartons.

From: Miller Brewing Co., Azusa, and Jos. Schlitz Brewing Co.,
Van Nuys.

Minimum Weight: 48,000 pounds.

<u>Distributor</u>	<u>Point of Origin</u>	<u>Destination</u>	<u>Rate Per 100 lbs.</u>
B & W Dist. Co.	Azusa	Modesto	.66
Scanlon Distr.	Azusa	Stockton	.70
Summit Distr.	Azusa	Sonora	.80
Bell Distr.	Azusa	Sacramento	.84
Bell Distr.	Azusa	Yuba City	1.00
H & M Distr.	Azusa	Salinas	.70
M Distr.	Azusa	Hayward	.66
M Distr.	Azusa	Concord	.73
Magnani Distr.	Azusa	Vallejo	.83
Napa Valley Bev.	Azusa	Napa	.85
J.C. Tyther Co.	Azusa	Middletown	1.07
R.J. Fassi, Inc.	Azusa	San Rafael	.85
Maita Distr. of San Mateo	Azusa	Foster City	.70
Summit Distr.	Van Nuys	Sonora	.75

Conditions:

- a. If underlying carriers are employed, they shall be paid no less than the rates authorized herein.
- b. Other than the authority described above, all other provisions of Minimum Rate Tariff 2 shall apply.