

Decision No. 85363**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Applica- )  
 tion of LEONARD S. EBEL dba )  
 LEONARD EBEL TRUCKING, an indivi- )  
 dual, to perform transportation )  
 services for the account of GLASS )  
 CONTAINERS CORPORATION, in the )  
 movement of sand in bulk at less )  
 than minimum rates. )

Application No. 56321  
 (Filed March 9, 1976)

OPINION AND ORDER

By this application, Leonard S. Ebel, doing business as Leonard Ebel Trucking, requests authority to deviate from the provisions of Minimum Rate Tariff 7-A in connection with transportation of silica sand, in bulk, from Ione, and iron float sand, in bulk, from Olympia to the plant of Glass Containers Corporation at Antioch.<sup>1</sup>

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

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

The application was listed on the Commission's Daily Calendar of March 10, 1976. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that applicant's proposal is reasonable. A public hearing is not necessary.

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<sup>1</sup>The present and proposed rates in cents per ton for the aforementioned transportation are as follows:

<u>From</u>	<u>To</u>	<u>Present Rates</u>		<u>Proposed Rates</u>
		<u>Minimum Weights</u>		<u>Minimum Weight</u>
		<u>23 Tons</u>	<u>50 Tons</u>	<u>26 Tons</u>
Ione	Antioch	-	420	400
Olympia	Antioch	518	-	500

The Commission concludes that the application should be granted as set forth in the ensuing order.


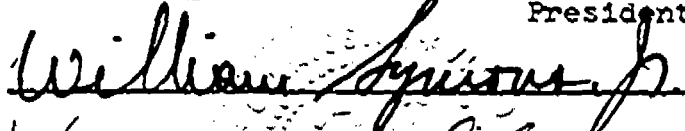


IT IS ORDERED that:

1. Leonard S. Ebel 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 one year after the effective date of this order unless sooner cancelled, modified or extended by further order of the Commission.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 15<sup>th</sup>, day of June, 1976.

  
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President  
  
  
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\_\_\_\_\_  
Commissioners

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

APPENDIX A

Leonard S. Ebel, doing business as Leonard Ebel Trucking, is authorized to transport silica sand and iron float sand, in bulk, from Ione and Olympia, respectively, to the plant of Glass Containers Corporation at Antioch, subject to the following conditions:

- 1) The charge for transporting silica sand, in bulk, from the plant of Owens-Illinois, Inc. at Ione to Antioch shall be \$4.00 per ton, minimum weight 26 tons.
- 2) The charge for transporting iron float sand, in bulk, from the plant of Santa Cruz Aggregates at Olympia to Antioch shall be \$5.00 per ton, minimum weight 26 tons.
- 3) Loading or unloading time in excess of one hour shall be assessed at the rate of \$3.00 per 15 minutes or fraction thereof.
- 4) 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.
- 5) In all other respects, the rates and rules in Minimum Rate Tariff 7-A shall apply.

(END OF APPENDIX A)