

ORIGINAL

Decision No. 85985

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application)
 of CHICHESTER TRANSPORTATION CO.,)
 INC.. a California corporation)
 for authority to deviate from)
 the provisions of Minimum Rate)
 Tariff 2 in connection with the)
 transportation of certain commo-)
 dities, for the account of Libby,)
 McNeill & Libby pursuant to the)
 provisions of Section 3666 of the)
 California Public Utilities Code.)

Application No. 56498
 (Filed May 24, 1976)

INTERIM OPINION AND ORDER

By this application, Chichester Transportation Co., Inc., a California corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of cans, can ends, canned goods, tin plate and pallets from and to various points for the account of Libby, McNeill & Libby (Libby).¹

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

The application was listed on the Commission's Daily Calendar of May 25, 1976. No objection to the granting of the application has been received.

¹ The minimum rates, exclusive of applicable surcharges, and the proposed rates, both in cents per 100 pounds, vary depending upon distance and commodity. Representative movements from Sacramento are shown as follows:

Commodity	Destination	Present		Proposed	
		Rate	Minimum Weight	Rate	Minimum Weight
Can ends	Sunnyvale	70	30,000	66	30,000
Canned goods	Sunnyvale	70	30,000	50	36,000
Tin plate	Pittsburg	62	50,000	29	80,000

In the circumstances, the Commission finds that:

1. The rates proposed for consideration in the instant application are similar to those authorized for Dayview Trucking, Inc., in Decision 85501 and apply to identical commodities, points of origin and destination.

2. Any delay in this matter may cause applicant to experience undue hardship and interim authority should be granted pending hearing. The Commission concludes that the effective date of this order should be the date hereof because there is an immediate need for rate relief.

IT IS ORDERED that:


1. Chichester Transportation Co., Inc., 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 and subject to the conditions therein.

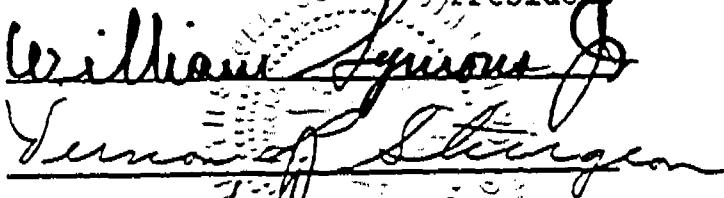
2. The authority granted herein shall expire with January 1, 1977, unless sooner canceled, modified or extended by further order of the Commission.


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 22nd day of June, 1976.



President




Commissioners

APPENDIX A

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Carrier: CHICHESTER TRANSPORTATION CO., INC.

Shipper: Libby, McNeill & Libby

Application of Rates:

1. Rates apply only to shipments mechanically loaded and unloaded by shipper and consignee without expense to carrier and the bill of lading issued pursuant to Item 255 of Minimum Rate Tariff 2 so indicates. Carrier's employee is restricted to the tie down, securing of cargo, and covering shipments with tarpaulin or other cover.
2. Rates set forth in Items 3, 5, 6 and 7 of this appendix are subject to the provisions of Item 210, paragraphs (a), (b), and (c) of Minimum Rate Tariff 2.

(Numbers within parentheses immediately follow commodities shown below refer to such commodities as described in the corresponding item numbers of the governing classification.)

3. Applicant has not indicated that subhaulers will be engaged nor have any costs for subhaulers been submitted. Therefore, if subhaulers are employed they shall be paid not less than the rates authorized herein.
4. In all other respects the rates and rules in Minimum Rate Tariff 2 shall apply.

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Item 1. Commodity: Cans, sheet steel or tin, NOI (52755).From: Sacramento can plant, Fruitridge.To:

Rate in Dollars per Pallet
(Minimum 24 Pallets)

Gridley	(1)5.60	(2)5.15
Sunnyvale	(3)7.00	(4)6.70

(1) (3) Without return paying load.
 (2) (4) With return paying load on
 continuous round trip.

Item 2. Commodity: Can ends, steel or tin (40250).From: Sacramento can plant, Fruitridge.To:

Rate in Cents Per 100 Pounds
Minimum Weight in Pounds
*20,000 *30,000 80,000 120,000

Gridley	61½	52	40	25
Sunnyvale	79½	66	53	47

Note: 20,000 and 30,000-pound rates apply on
 mixed shipments of cans in Item 1.

*Subject to Central Coastal Surcharge in Minimum Rate
 Tariff 2.

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Item 3. Commodity: Tin plate.To: Sacramento can plant, Fruitridge.From:

	<u>Rates in Cents per 100 Pounds</u>	
	<u>Minimum weight in Pounds</u>	
	<u>80,000</u>	<u>120,000</u>
Pittsburg	29	26
Hayward	40	35
San Leandro (1)	40	35

(1) San Leandro rate applies in both directions and is subject to route via Oakland; additional charge of \$2.65 per ton, minimum \$70.80 per car.

Item 4. Commodity: Pallets and shrouds, returning (See Note 1).Between: Sacramento can plant, Fruitridge.And:

	<u>Any Quantity</u>	<u>Rates in Cents per 100 Pounds</u>		
		<u>Minimum weight in Pounds</u>		
		<u>5,000</u>	<u>10,000</u>	<u>20,000</u>
Gridley	207	81	58	40
Sunnyvale*	220	92	68	49

* Subject to Central Coastal Surcharge in MRT 2.

Note 1: Rail 5 to 1 rule to apply where authorized, and provided the bill of lading documentation meets the rail tariff requirements.

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Item 5. Commodity: Canned foodstuffs.From: Sacramento can plant, FruitridgeTo:

	<u>Rates in Cents per 100 Pounds</u>	
	<u>Minimum Weight in Pounds</u>	
	<u>36,000</u>	<u>80,000</u>
Gridley	67	-
Sunnyvale	50	37
Oakland	45	33
Union City-Fremont	50	37
Fresno	68	35

Item 6. Commodity: Canned foodstuffs.From: Gridley, CaliforniaTo:

	<u>Rates in Cents per 100 Pounds</u>		
	<u>Minimum Weight in Pounds</u>		
	<u>36,000</u>	<u>50,000</u>	<u>80,000</u>
Sacramento can plant,			
Fruitridge	33	-	27
Sunnyvale	67	-	-
Fresno	93	-	65
Los Angeles	114	101	-

Item 7. Commodity: Canned foodstuffs.From: Sunnyvale, California.To:

	<u>Rates in Cents per 100 Pounds</u>			
	<u>Minimum Weight in Pounds</u>			
	<u>36,000</u>	<u>40,000</u>	<u>60,000</u>	<u>80,000</u>
Fresno	67	-	44	-
Sacramento	-	45	-	37
Gridley	67	-	-	-

(END OF APPENDIX A)