

ORIGINAL

Decision No. 85989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Bayview Trucking,)
Inc., for authority to amend)
Decision 84438 in the matter of) Application No. 54301
Section 3666 less than minimum) (Filed January 21, 1976)
rate authority for E. T.)
Industries, Inc.)

SUPPLEMENTAL OPINION AND ORDER

Decision 84438 dated May 13, 1975, in this proceeding authorized Bayview Trucking, Inc. (Bayview), a corporation, to assess less-than-minimum rates for the transportation of iron or steel wheels from Torrance to Benicia and aluminum or iron or steel castings from Benicia to Los Angeles, Gardena or Torrance from E. T. Industries, Inc.

By Petition for Modification of Decision 84438, Bayview seeks to amend said decision by including knocked down fiberboard, paper, paperboard or pulpboard boxes in the authority for the southbound movement of the castings and by substituting City of Industry for Torrance as a point of origin and a point of destination in the authority for the aforementioned northbound and southbound movements, respectively.

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

The petition was listed on the Commission's Daily Calendar of January 29, 1976. No objection to the granting of the petition has been received.

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

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

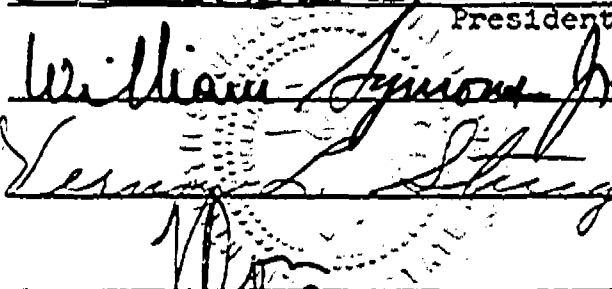
IT IS ORDERED that:

1. Decision 84438 is hereby amended by substituting for Appendices A and B thereof Amended Appendices A and B which are attached hereto and by this reference made a part hereof.

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

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 22nd day of June, 1976.



President
William J. Simon

Vernon L. Sturgeon

Robert B. Bunker
Commissioners

AMENDED APPENDIX A
(Supersedes Appendix A of Decision 84438)

Carrier: Bayview Trucking, Inc.
Consignor: E. T. Industries, Inc.
Point of Origin: The Plant of E. T. Industries, Inc., at City of Industry.
Consignee: E. T. Industries, Inc.
Destination: The distribution plant of E. T. Industries, Inc. at Benicia.
Commodity: Wheels, iron or steel requiring or suitable for use with tires, without tires, in cartons, subject to Item 197594 of the National Motor Freight Classification naming attachments at the same rate.
Rate: 110 percent of Class 35.4 in Minimum Rate Tariff 2.
Minimum Weight: 45,000 pounds per unit of carrier's equipment.

- Note 1 Shipper shall load carrier equipment without expense to carrier.
- Note 2 Carrier shall furnish driver only to assist unloading. Excess unloading time over two hours shall be charged at rates provided for in Item 145 of Minimum Rate Tariff 2.
- Note 3 For every four loads transported under the provisions of this amended appendix, E. T. Industries, Inc. must tender to carrier at least one backhaul of the commodities listed in, and in accordance with, the provisions of Amended Appendix B.

(END OF AMENDED APPENDIX A)

AMENDED APPENDIX B
(Supersedes Appendix B of Decision 84438)

Rate and rules of application for return payload under transportation in a continuous round trip with a northbound shipment under the provisions of Amended Appendix A.

Carrier: Bayview Trucking, Inc.

Commodities: 1. Aluminum Castings NO1, NMFC 13320 Sub 1, and iron or steel castings NO1, NMFC 104790 Sub 2, when unitized and strapped onto shipper-owned pallets.
2. Boxes, fiberboard, paper, paperboard or pulpboard, KD, in bundles on pallets, NMFC 29270 and 29280.

Consignor: E. T. Industries, Inc., Benicia.

Origin: E. T. Industries, Inc., plant or warehouse, Benicia.

Consignee: E. T. Industries, Inc., contract machine shop or
E. T. Industries, Inc., plant.

Destination: Los Angeles, Gardena or City of Industry.

Rate: 75% of the northbound rate in Amended Appendix A.

Minimum Weight: 36,000 pounds per unit of carrier's equipment.

Rules of Application:

1. Prior to, or at the time of, loading the northbound shipment, E. T. Industries, Inc. shall notify carrier that the equipment will be utilized for a continuous round-trip movement.
2. E. T. Industries, Inc. shall perform loading and sealing of carrier equipment at the City of Industry plant without cost to carrier.
3. E. T. Industries, Inc., at the Benicia plant warehouse, shall unload the inbound shipment without expense or assistance on the part of the carrier.

AMENDED APPENDIX B

4. Carrier's driver shall be considered off duty after placing semitrailer at E. T. Industries, Inc. warehouse.
5. E. T. Industries, Inc. shall reload unitized cargo on shipper's pallets for the southbound movement without expense or assistance on the part of carrier, and affix shipper seals to carrier's equipment.
6. The southbound trip must be ready for departure no sooner than ten hours, or later than fourteen hours after placement of carrier's semitrailers for unloading the inbound shipment.
7. Unloading at destination of the southbound shipment shall be accomplished by the consignee without assistance or expense on the part of the carrier.

(END OF AMENDED APPENDIX B)