

Decision No. 86034

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Woodrow W. Gilbert)
 & Oscar D. McGarity dba McGarity)
 & Gilbert Trucking for authority)
 to deviate from Minimum Rate)
 Tariff 14-A (PUC permit T-98308),)
 lumber hauling, Diamond Inter-)
 national Corp. under statutory)
 provision in Item 690, MRF No. 2)

Application No. 56188
 (Filed January 12, 1976)

OPINION AND ORDER

By this application, Woodrow W. Gilbert and Oscar D. McGarity, doing business as McGarity & Gilbert Trucking, request authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with transportation of baled waste paper from points in the Los Angeles area to Red Bluff for Diamond International Corporation.¹

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

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

¹ The present rates, exclusive of the applicable surcharge, and the proposed rate in cents per 100 pounds for representative shipments of the aforementioned transportation are:

To Red Bluff From	Present Rate	Proposed Rate
	Minimum Weight 40,000 Pounds	Minimum Weight 40,000 Pounds
Los Angeles MZ 226	132	85
Long Beach	137	85

The application was listed on the Commission's Daily Calendar of January 19, 1976. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that applicants' proposal is reasonable. A public hearing is not necessary. The Commission concludes that the application should be granted as set forth in the ensuing order.

IT IS ORDERED that:

1. Woodrow W. Gilbert and Oscar D. McGarity are 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 27th day of June, 1976.

William Synovus Jr. President
Vernon L. Sturgeon
U. M.
Robert Belmont Commissioners

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

APPENDIX A

Carrier: Woodrow W. Gilbert and Oscar D. McGarity, doing business as McGarity and Gilbert Trucking

Commodity: Waste paper, not sensitized, baled

For: Diamond International Corporation

From: Points in Los Angeles and Orange Counties

To: Red Bluff

Rate: 85 cents per 100 pounds

Minimum Weight: 40,000 pounds

Conditions:

1. Shipments shall be fork lift loaded by shipper without assistance of carrier's personnel.
2. Shipments shall be unloaded by consignee.
3. Shipping documents issued for the southbound movement of lumber and corresponding return northbound movement shall be cross-referenced to the shipping document or documents covering the other half of the round trip movement.
4. Applicant has not indicated 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 set forth in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)