

Decision No. 86168

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
 of NICKELS TRUCKING CO., INC., a )  
 California corporation, for an )  
 Order Authorizing Applicant to )  
 Deviate from certain minimum rates )  
 on shipments for the account of )  
 Boise Cascade Corp., pursuant to )  
 Section 3666 of the Public Utili- )  
 ties Code of the State of )  
 California. )

Application No. 56342  
 (Filed March 18, 1976)

OPINION AND ORDER

By this application, Nickels Trucking Co., Inc., a corporation, requests authority to deviate from the multiple lot provisions of Minimum Rate Tariff 2 (MRT 2) in connection with transportation of steel can ends for Boise Cascade Corporation from Richmond to Santa Ana by waiving the 48-hour time limit governing the pickup of an entire shipment.

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

The application was listed on the Commission's Daily Calendar of March 24, 1976. California Trucking Association (CTA) protested the granting of the application but stated that the circumstances cited by applicant only demonstrate the unreasonableness of continuing to maintain multiple lot provisions in the various minimum rate tariffs. CTA further stated that cancelling Item 85 of MRT 2, not broadening it, is the only proper response if applicant is to be afforded the measure of flexibility which promotes the most favorable circumstances. Official notice is taken of the fact that CTA has formally requested that Item 85 be cancelled.<sup>1</sup>

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<sup>1</sup> See Fourth Amendment to Petition for Modification 871 in Case 5432, et al.

In the circumstances, the Commission finds that:

1. Applicant's proposal is reasonable to the extent hereinafter indicated.
2. A three-day period, exclusive of Saturdays, Sundays, and holidays, is a sufficient period in which to pick up an entire shipment for the aforementioned transportation.
3. It may reasonably be expected that the longer three-day pickup period for the involved transportation will diminish the deadheading and layover expenses and result in corresponding savings to applicant.
4. The proposal, as herein modified, will enable applicant to contribute to the conservation of fuel.

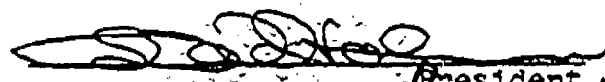
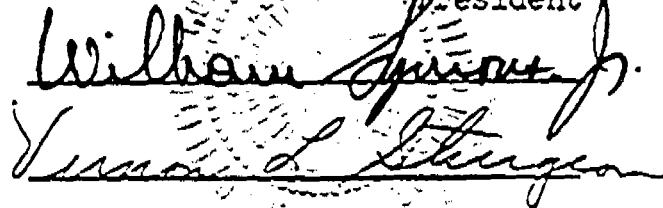
The Commission concludes that the application, as modified herein, should be granted. A public hearing is not necessary.

IT IS ORDERED that:

1. Nickels Trucking Co., Inc., a corporation, is authorized to perform the transportation shown in Appendix A attached hereto and by this reference made a part hereof as 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 27<sup>th</sup> day of July, 1976.

  
President  


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Commissioners

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

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

Carrier: Nickels Trucking Co., Inc.  
Commodity: Steel can ends  
For: Boise Cascade Corporation  
From: Plant of Boise Cascade Corporation  
in Richmond.  
To: Plant of Boise Cascade Corporation  
in Santa Ana.

Application  
of Rates:

1. The carrier is authorized to depart from the provisions of Item 85 of Minimum Rate Tariff 2 by picking up the entire shipment for the above-identified transportation within a period of 3 days computed from 12:01 a.m. of the date on which the initial pickup commences, excluding Saturdays, Sundays, and legal holidays.

2. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)