

Decision No. 86169

ORIGINAL

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Frank O. Culy, Jr., F. O. Culy Sr., and Harold F. Culy dba Riteway Transportation Company for the authority to deviate from minimum rates and charges on shipments between Long Beach plant, plant distribution warehouse on the one hand and Sacramento plant, plant distribution warehouse on the other hand for the Procter and Gamble Company under Section 3666 of the Public Utilities Code.

Application No. 56346  
(Filed March 23, 1976)

OPINION AND ORDER

By this application, Frank O. Culy, Jr., F. O. Culy, Sr. and Harold F. Culy, doing business as Riteway Transportation Company, requests authority on an interim basis pending hearing, to deviate from the provisions of Minimum Rate Tariff 2 in connection with transportation of cleaning compounds, soap, groceries and related items for Procter and Gamble Company, between said shipper's plant and plant distribution warehouse at Sacramento and its plant and plant distribution warehouse at Long Beach.<sup>1</sup>

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

<sup>1</sup> The minimum and proposed rates in cents per 100 pounds for representative shipments of cleaning, scouring or washing compounds or soap, between Sacramento and Long Beach are as follows:

<u>(1) Present Rate</u>	<u>Proposed Rate</u>
<u>Minimum Weight 50,000 Pounds</u>	<u>Minimum Weight 50,000 Pounds</u>
105	67

(1) Subject to a surcharge of three percent.

The application was listed on the Commission's Daily Calendar of March 26, 1976. California Trucking Association stated that it had no objection to the requested interim relief pending hearing but requests a hearing if any different handling <sup>(may)</sup> is contemplated. However, revenue and expense data submitted by applicants indicate that the transportation involved may reasonably be expected to be profitable under the proposed rates.

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.

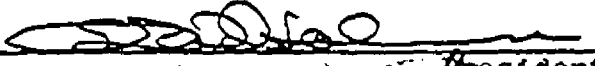
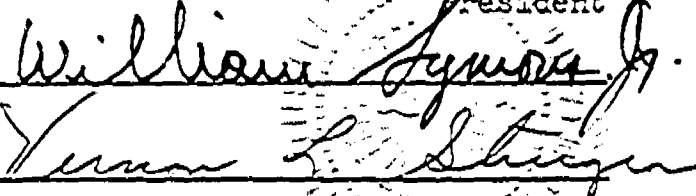
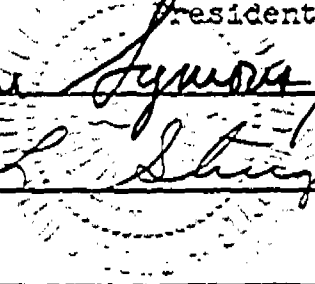
IT IS ORDERED that:

1. Frank O. Culy, Jr., F. O. Culy, Sr. and Harold F. Culy 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 27<sup>th</sup> day of July, 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.

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

## APPENDIX A

Frank O. Culy, Jr., F. O. Culy, Sr. and Harold F. Culy, doing business as Riteway Transportation Company, are authorized to transport the following commodities between Procter and Gamble Company's plant and plant distribution warehouse located in Sacramento and its plant and plant distribution warehouse at Long Beach:

- a) Cleaning, Scouring, Washing Compounds or Soap (48580, 48581 and 48582),
- b) Cooking or Salad Oil (144800),
- c) Vegetable Oil Shortening, Shortening, Lard (134530, 134532 and 134536),
- d) Peanut Butter, Peanut Spread (74220),
- e) Cake Mix (73140),
- f) Potato Chips (74480) and
- g) Softener, Textile Household (49161 and 176962).

The rate for this transportation shall be not less than 67 cents per 100 pounds, minimum weight 50,000 pounds per unit of equipment.

This authority is subject to the following conditions:

1. Applicant shall furnish labor to assist in the loading and unloading of trailers at the respective points of origin and distribution not to exceed two (2) man hours per unit of equipment for loading and two (2) man hours per unit of equipment for unloading.
2. The basic northbound and southbound ratios of movement for the shipper as illustrated in Exhibit E of Application 56346 shall be maintained.
3. Shipping documents issued for the northbound and corresponding southbound 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)