

ORIGINAL

Decision No. 86212

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of JESS A. BETTENCOURT, an indi-)
 vidual doing business as JESS'S)
 TRUCKING, for an order authorizing)
 the rates, rules and regulations)
 of Minimum Rate Tariff No. 2 pur-)
 suant to the provisions of Section)
 3666 of the Public Utilities Code)
 for the transportation of glass)
 containers from Tracy and Pomona)
 to Fresno for Pepsi-Cola Co.)

Application No. 56576
 (Filed June 22, 1976)

OPINION AND ORDER

By this application, Jess A. Bettencourt, doing business as Jess's Trucking, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of glass containers for Pepsi-Cola Co. from Pomona and Tracy to Fresno.¹

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

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

¹The present rates, exclusive of applicable surcharges, and the proposed rates in cents per 100 pounds for shipments of glass containers are:

To	Present Rate	Proposed Rate
Fresno	Minimum Weight	Minimum Weight
From	<u>30,000 Pounds</u>	<u>36,000 Pounds</u>
Tracy	77	65
Pomona	110	100

The application was listed on the Commission's Daily Calendar of June 24, 1976. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that applicant's 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 and the effective date of this order should be the date hereof because there is an immediate need for this rate relief.

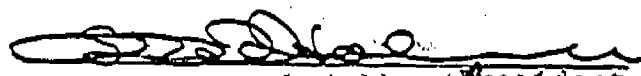
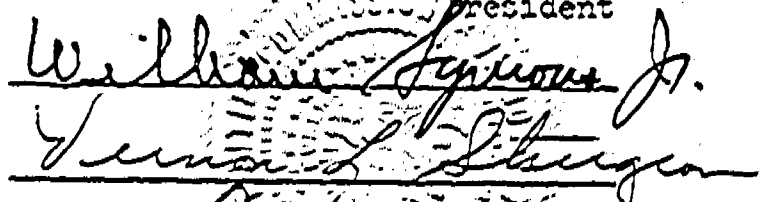

IT IS ORDERED that:

1. Jess A. Bettencourt 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 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 is the date hereof.

Dated at San Francisco, California, this 3rd day of August, 1976.


President



Commissioners

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

APPENDIX A

Carrier: Jess A. Bettencourt, doing business as Jess's
Trucking.
Commodity: Glass Bottles
For: Pepsi-Cola Co.
To: Fresno

Rates in Cents per 100 Pounds

From:	Tracy	65
	Pomona	100

Minimum Weight: 36,000 pounds

Conditions:

- (1) These rates shall be increased in the same amount and effective at the same time or times as the Commission shall increase the Class 35 rate applicable under the provisions of Minimum Rate Tariff 2 between these points.
- (2) If subhaulers are employed, they shall be paid no less than \$175.50 per trip between Tracy and Fresno and \$270.00 per trip between Pomona and Fresno.
- (3) In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)