

ORIGINAL

Decision No. 86278

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Adeline F. Mello &)
 Richard D. Mello, dba Northern)
 Refrigerated Transportation for)
 authority to deviate from the)
 provisions of Minimum Rate Tariff)
 #2 for the transportation of)
 meats, fresh, NOI, frozen or not)
 frozen, for Banquet Foods Corp.)
 from the Los Angeles area to Tur-)
 lock and prepared frozen foods)
 from Turlock to the Los Angeles)
 Basin Territory.)

Application No. 56525
 (Filed June 3, 1976)

OPINION AND ORDER

By this application, Adeline F. Mello and Richard D. Mello, doing business as Northern Refrigerated Transportation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with transportation of meats, fresh, NOI, frozen or not frozen, from Los Angeles to Turlock, and prepared frozen foods from Turlock to points in Los Angeles Basin Territory for Banquet Foods Corporation.¹

¹ The present rates, excluding the applicable surcharges, and the proposed rates for representative shipments of the aforementioned commodities are:

<u>From</u>	<u>To</u>	<u>Commodi- ties</u>	<u>Minimum Weight In Pounds</u>	<u>Rates in Cents Per 100 pounds Except as Noted</u>	
				<u>Present</u>	<u>Proposed</u>
Los Angeles MZ 235	Turlock	Meats, fresh	42,000	130	(1)\$375.00
Turlock	Los Angeles MZ 235	Prepared frozen foods	30,000	140	130

(1) Charge per single unit of equipment.

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.

The application was listed on the Commission's Daily Calendar of June 4, 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. Adeline F. Mello and Richard D. Mello 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 24th day of August, 1976.

~~I will for a~~
~~William J. Mello~~
~~William J. Mello~~

~~William J. Mello~~
President
~~William J. Mello~~
~~William J. Mello~~
~~Robert Butman~~
Commissioners

APPENDIX A

Carrier: Adeline F. Mello and Richard D. Mello, doing business as Northern Refrigerated Transportation.

Shipper: Banquet Foods Corporation.

<u>From</u>	<u>To</u>	<u>Commodities</u>	<u>Minimum Weight</u>	(1) Rates in Cents Per 100 Pounds Except as Noted
Los Angeles MZ 235	Turlock	Meats, fresh, NOI, frozen or not frozen		(2) \$375.00
Turlock	Points in Los Angeles Basin Territory	Prepared frozen foods	30,000	(3)

- (1) Rate or charge includes temperature control service.
- (2) Charge per single unit of carrier's equipment subject to a maximum gross weight of 45,000 pounds per load. This charge does not include split pickup or split delivery service.
- (3) Shipments of prepared frozen foods from Turlock to Los Angeles shall be transported at 10 cents per 100 pounds less than the applicable minimum rate when shipped with a notation on the bill of lading that a return load of meats, fresh, NOI, frozen or not frozen, shall be reloaded at Los Angeles the following day in the carrier's same piece of equipment for shipment to Turlock. This deduction does not apply to shipments which are subject to the provisions of Items 200 through 241 of Minimum Rate Tariff 2.

Conditions:

1. In the event the shipper is unable to guarantee a return load, the flat charge of \$375.00 per shipment of meats, fresh, NOI, frozen or not frozen will be assessed predicated on an equipment available basis.
2. Shipments from Los Angeles unloaded at shipper's plant, Turlock may be scheduled to unload and then reload the same day for another destination.
3. Though applicant has indicated that subhaulers will be engaged, no costs of subhaulers have been submitted. Therefore, if subhaulers are employed, they shall be paid no less than the rates authorized herein without any deduction for use of applicant's trailing equipment.
4. In all other respects, the rates and rules set forth in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)