

ORIGINAL

Decision No. 86304

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
 of SMERBER TRANSPORTATION, INC.,)
 a corporation, doing business as)
 SMERBER TRANSPORTATION, INC., for)
 authority to deviate from minimum)
 rates for the transportation of)
 MINERAL WOOL INSULATION, for ROCK)
 WOOL INDUSTRIES, INC., Shipper,)
 pursuant to Section 3666 of the)
 Public Utilities Code.)

Application No. 56547
 (Filed June 10, 1976)

OPINION AND ORDER

By this application, Smerber Transportation, Inc., a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of mineral wool insulation batts, batting and blankets (other than glass wool) for Rockwool Industries, Inc. (Rockwool) between a point at or near Fontana and various points.¹

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

The application was listed on the Commission's Daily Calendar of June 14, 1976. Murchison & Davis, on behalf of Bell Transport Company (Bell), protested the granting of the application stating that applicant failed to comply with Section 3666. However, revenue and expense data submitted by applicant indicate that the transportation involved may reasonably be expected to be profitable

¹ The present rates (excluding applicable surcharges) and proposed rates in cents per 100 pounds for representative shipments of the aforementioned commodities are:

<u>Between</u> <u>Fontana</u> <u>And</u>	<u>Present Rates</u> <u>Minimum Weight</u> <u>20,000 Pounds</u>	<u>Proposed Rates</u> <u>Minimum Weight</u> <u>20,000 Pounds</u>
Bakersfield	150	120
Fresno	191	153
Sacramento	246	197

under the proposed rates. Also, Rockwool has informed the Commission by letter that, though Bell is the primary carrier in this movement, said carrier cannot always handle the volume of traffic it wishes to ship. Rockwool requests that the Commission act favorably on the authority sought herein.

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. Smerber Transportation, Inc., a corporation, 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.

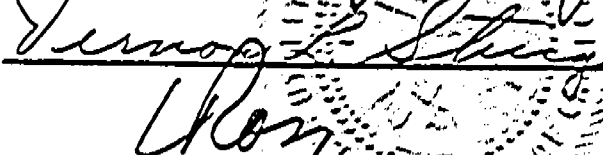
2. The authority granted herein shall expire one year after the effective date of this order unless sooner cancelled, modified or extended by further order of the Commission.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 24th day of August, 1976.



President


Vernon L. Stinson


Robert Bateman

Commissioners

APPENDIX A

Smerber Transportation, Inc., a corporation, is authorized to transport mineral wool insulation batts, batting and blankets, (other than glass wool) manufactured from clay, rock or slag as described in Item 103400 of National Motor Freight Classification NMF 100-C for Rockwool Industries, Inc., between plant sites at or near Fontana and various points subject to the following rates and conditions:

<u>Miles</u>		<u>Rates in Cents Per 100 Pounds</u>	<u>Miles</u>		<u>Rates in Cents Per 100 Pounds</u>
<u>Over</u>	<u>But Not Over</u>		<u>Over</u>	<u>But Not Over</u>	
0	3	53	160	170	116
3	5	56	170	180	120
5	10	58	180	190	122
10	15	61	190	200	127
15	20	64	200	220	132
20	25	66	220	240	137
25	30	67	240	260	142
30	35	68	260	280	148
35	40	70	280	300	153
40	45	75	300	325	161
45	50	76	325	350	168
50	60	79	350	375	172
60	70	85	375	400	181
70	80	86	400	425	188
80	90	90	425	450	192
90	100	95	450	475	197
100	110	98	475	500	204
110	120	100	500	525	208
120	130	104	525	550	214
130	140	106	550	575	222
140	150	111	575	600	228
150	160	114			

Conditions:

1. Minimum weight per shipment shall be 20,000 pounds.
2. The authorized rates are subject to all surcharges as set forth in Minimum Rate Tariff 2 and any subsequent increases in said tariff.

APPENDIX A

3. Shipments shall be loaded by shipper without assistance of, or expense to, the carrier.
4. Unloading time shall be two hours. Excessive unloading time shall be charged at the rate of \$5.00 per 15 minutes or a fraction thereof.
5. Applicant has indicated subhaulers will be engaged but no subhauler costs have been submitted. Therefore, if subhaulers are employed, they shall be paid no less than the rates authorized herein.
6. In all other respects, the rates and rules set forth in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)