

T/LJ/AV/WPSC

84 10 GCS

OCT 17 1984

ORIGINAL

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of HARRISON NICHOLS)
 COMPANY LTD. for authority to)
 deviate from the minimum rates,)
 rules and regulations of Minimum)
 Rate Tariff No. 7-A, pursuant to)
 the provisions of Section 3666 of)
 the Public Utilities Code, for)
 GUARDIAN INDUSTRIES)

Application 84-04-104
 (Filed April 19, 1984)

O P I N I O N

By this application, Harrison Nichols Company Ltd. seeks authority under Public Utilities (PU) Code Section 3666 to deviate from the minimum rates in Minimum Rate Tariff 7-A. The proposed transportation is bulk silica sand from the Crystal Silica Company in Oceanside to Guardian Industries in Fullerton, for the account of Guardian Industries. 1/

1/ The present and proposed rates in cents per ton are:

	MRT 7-A-Item 320	Proposed Rates
	<u>Min.WT. - 24 tons</u>	<u>Min. WT. - 27.5 tons</u>
Oceanside to		
Fullerton (62 mi.)	582	475

The silica sand to be transported is one of the ingredients used to manufacture plate glass. The plant making this glass is required to operate 24 hours per day, 7 days per week, approximately 353 days a year, and requires constant and reliable deliveries of raw materials. These conditions allow applicant to maintain maximum utilization of its equipment regardless of weather conditions or time of year. Revenue and expense data submitted by applicant are sufficient to determine that the transportation involved may reasonably be expected to be profitable under the proposed rate.

The application was listed on the Commission's Daily Transportation Calendar of April 26, 1984. No protest to the application has been received.

This proposal will not significantly affect energy efficiency within the meaning of PU Code Sections 3502.1 and 3502.2, and since there is no reason for delay, the order should be made effective the date signed.

Findings of Fact

1. Harrison Nichols Company Ltd. is the holder of a dump truck carrier permit issued by this Commission.
2. The rates, rules, and regulations governing the transportation performed by dump truck carriers are published in the Commission's Minimum Rate Tariff 7-A.

3. Harrison Nichols Company Ltd. is seeking a deviation from the provisions of Minimum Rate Tariff 7-A under PU Code Section 3666.

4. Revenue and expense data submitted by applicant are sufficient to determine the profitability to the firm if the application is granted.

5. The application was listed on the Commission's Daily Transportation Calendar of April 26, 1984.

6. No objections to the application have been received.

7. A public hearing is not necessary.

8. The following order has no foreseeable impact on the energy efficiency of highway carriers.

Conclusion of Law

The proposal is reasonable, and the application should be granted.

O R D E R

IT IS ORDERED that:

1. Harrison Nichols Company Ltd. is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 7-A by charging not less than the rate set forth in Appendix A of this decision. This authority does not include any deviation from any rates, rules, or regulations except as specifically set forth in Appendix A.

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

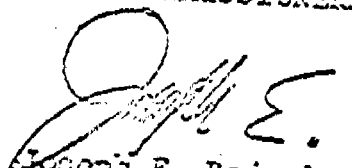

3. The application is granted as set forth above.

This order is effective today.

Dated OCT 17 1984, at San Francisco, California.

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY
COMMISSIONERS


Joseph E. Bodovitz, Executive Director


APPENDIX A

Carrier: Harrison Nichols Company Ltd.
Shipper: Guardian Industries
Commodity: Silica Sand
Origin: Crystal Silica Company, Oceanside
Destination: Guardian Industries, Fullerton
Minimum Weight: 27.5 tons per unit of equipment
Rate: \$4.75 per ton

Subject to the following conditions:

1. Applicant has not indicated that 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 in Minimum Rate Tariff 7-A.
2. In all other respects the rates and rules of Minimum Rate Tariff 7-A shall apply.

(END OF APPENDIX A)