

Decision 87 11 003

ORIGINAL

NOV 15 1987

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Harris Transportation Co. to renew )  
the rate deviation for the )  
transportation of clay in bulk, in )  
dump truck equipment for South- )  
western Portland Cement Company )  
under Section 3666 of the Public )  
Utilities Code. )

Application 87-07-032  
(Filed July 20, 1987;  
amended July 27, 1987)

OPINION

Harris Transportation Co. (applicant) is a California corporation. A certified copy of its Articles of Incorporation was filed with the Commission on February 14, 1977 in Application 57079 (File T-119,745).

Applicant operates as a highway common carrier, a dump truck carrier and an agricultural carrier.

Applicant is requesting that a deviation from the provisions of Minimum Rate Tariff (MRT) 7-A, which was granted on June 15, 1986 and expired on June 15, 1987, be extended to July 15, 1988. The transportation involved the movement of clay from Pacific Clay Products in Alberhill to the Black Mountain Quarry of Southwestern Portland Cement Company, located 15 miles northeast of Victorville, California. Applicant will charge \$7.80 per ton, on a minimum weight of 25 tons. The rate to be charged and the minimum weight are the same as requested in the original application. There will be no stops in transit and no backhauls. Loading will be accomplished by the consignor, with power equipment, at no cost to the carrier. Unloading will be by rolling discharge to the ground or a drive on stockpile.

Appendix A, attached to the application, is a balance sheet and profit and loss statement covering applicant's finances

for the year ending December 31, 1986 and for the first quarter of 1987. Appendix B is a cost study with respect to the subject transportation. The gross revenue per round trip (170.2 miles) will be \$195.00. Expenses total \$163.55, with a net of \$31.45, and an operating ratio of 83.9%.

Applicant alleges that subhaulers will not be employed to perform this service.

The Transportation Division staff has recommended that the application be granted and there is a letter from the shipper supporting the application.

Copies of the application were mailed to the California Trucking Association, the California Dump Truck Owners Association, The California Carriers' Association, and to four competing carriers. The filing of the application was noticed in the Commission Daily Calendar on July 20 and 27, 1987. There have been no protests or requests for hearing.

#### Findings of Fact

1. Applicant seeks authority to assess rates less than the minimum rates set forth in MRT 7-A for the transportation of clay from Pacific Clay Products, Alberhill, California, to Southwestern Portland Cement Company, Black Mountain Quarry, approximately 15 northeast of Victorville, California.
2. Applicant is renewing a deviation granted on June 15, 1986, which was allowed to expire on June 15, 1987.
3. There will be no stops in transit. Loading will be by the consignor with power equipment, at no cost to the carrier and is accomplished in five minutes. Unloading is available 24 hours a day and trucks are unloaded by gravity in five minutes.
4. Cost data submitted with the application indicate that transportation at the proposed rate will be compensatory.
5. Applicant has stated that subhaulers will not be engaged.
6. No protests have been received.
7. A public hearing is not necessary.

8. The proposed rate is reasonable.

Conclusions of Law

1. The application should be granted to the extent set forth in the following order.

2. This order will be made effective today as there is an immediate need for relief.

3. This authority should expire in one year, as required by Public Utilities Code Section 3666.

ORDER

IT IS ORDERED that:

1. Harris Transportation Co. may depart from the rates in MRT 7-A by charging not less than the rates in Appendix A.

2. This authority shall expire one year after the effective date of this order.

This order is effective today.

Dated NOV 13 1987, at San Francisco, California.

STANLEY W. HULETT  
President  
FREDERICK R. DUDA  
G. MITCHELL WILK  
JOHN B. OHANIAN  
Commissioners

Commissioner Donald Vial, being necessarily absent, did not participate.

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.

  
Victor Weisser, Executive Director

JB

APPENDIX A

Carrier: Harris Transportation Co.

Commodity: Clay.

Origin: Pacific Clay Products, Alberhill.

Destination: Southwestern Portland Cement Co.  
Black Mountain Quarry, approximately 15 miles  
northeast of Victorville.

Rate: \$7.80 per ton.

Minimum Weight: 25.00 tons.

Conditions:

No stops in transit. Loading to be by consignor with power equipment, at no cost to carrier. Unloading will be by gravity.

If subhaulers are engaged to perform this transportation, they shall be paid 100% of the rate.

(END OF APPENDIX A)