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APR 13 1988

Decision 88 04 013 APR 13 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Par Trucking, Inc. (T-136535), a )  
California Corporation, for )  
authority to depart from the rates, )  
rules and regulations of Minimum )  
Rate Tariff 7-A in the transporta- )  
tion of sand for the account of La )  
Habra Products under the provisions )  
of Section 3666 of the California )  
Public Utilities Code. )

Application 87-11-003  
(Filed November 2, 1987;  
amended January 13, 1988)

OPINION

As originally filed, the application of Par Trucking, Inc. (applicant) sought authority to charge less than Minimum Rate Tariff (MRT) 7-A rates for the transportation of sand from the plant of Gillibrand in Simi Valley to the facilities of La Habra Products, Anaheim.

The MRT rate for such transportation is \$7.84 per ton plus a 2.2% surcharge with a minimum of 24 tons. The proposed deviated rate would be \$5.72 per ton with a 26-ton minimum.

Such authority was originally granted in Decision 83-04-033 but allowed to expire.

The proposed shipments would be backhauls for the transportation of cement from Oro Grande or Victorville to Irwindale. Applicant estimates that it would be able to transport an average of 10 loads per week under the proposed rates. In addition, applicant alleges that unloading would be efficient.

If there is excess (more than one hour) loading or unloading time, it will be charged for at the rate of \$16.00 for the first 30 minutes and \$8.00 for each succeeding quarter hour or fraction thereof.

The amendment supplied an amended cost showing. It also clarified that this was to be considered a new application rather than a proposal to reinstate the previous expired authority.

The notice of the application appeared in the Daily Calendar on November 5, 1987. No protests have been received. On January 20, 1988, the staff recommended that the application as amended be granted.

Findings of Fact

1. Applicant's transportation involves unique circumstances.
2. Applicant's costs for this transportation are less than those used to set the rates in MRT 7-A.
3. The proposed rates are reasonable.
4. Under PU Code § 3666, the Commission may authorize a lesser rate than the minimum established rate for not more than one year.

Conclusions of Law

1. The proposed relief should be granted.
2. This order should be effective on the date signed because there is an immediate need for rate relief.

ORDER

IT IS ORDERED that:

1. Applicant is authorized to charge less than MRT 7-A rates under the circumstances specified in Appendix A.

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

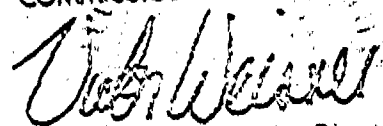
This order is effective today.

Dated April 13, 1988, 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 Weissert, Executive Director

APPENDIX A

Carrier: Par Trucking, Inc.

Shipper: La Habra Products, Inc.

Commodity: Sand, in bulk.

Rate: \$.2860/cwt.

Minimum Weight: 52,000 lbs.

Origin: Gillibrand facilities, Simi Valley.

Destination: La Habra Products, Anaheim.

Conditions:

1. The named rate will apply only to shipments immediately preceded by hauls of cement in bulk from Oro Grande or Victorville to Irwindale.
2. If subhaulers are employed, they shall be paid not less than the rates named in this Appendix.
3. Time in excess of one hour for loading and one hour for unloading shall be assessed at the rate of \$16.00 for the first 30 minutes and \$8.00 each succeeding 15 minutes or fraction thereof.
4. In all other respects, the provisions of MRT 7-A shall apply to this transportation.

(END OF APPENDIX A)