

Decision 88 11 045

NOV 23 1988

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
LOPES TRUCKING SERVICE, INC., for )  
authority to establish cement )  
carrier rates less than the maximum )  
rate pursuant to the provisions of )  
Section 452 and 452.1 of the Public )  
Utilities Code and General )  
Order 150-A, Rule 7.1. )

NOV 23 1988

Application 87-12-059  
(Filed December 24, 1987)

OPINION

Lopes Trucking Service, Inc. (applicant) seeks to publish a rate for transporting cement in sacks which is less than the maximum reasonable rate. It previously performed such transportation under Pacific Motor Tariff No. 14, as authorized by Rate Reduction 1544. It now seeks to reinstate the rates under the provisions of Public Utilities (PU) Code §§452 and 452.1.

Applicant's cement traffic consists of shipments from either Davenport or Permanente to Merced, San Joaquin, and Stanislaus Counties. The application, as amended on March 11, 1988, contains cost data intended to show that the rates in question are compensatory.

Notice of the application was published in the Daily Transportation Calendar on January 14, 1988. Notice of the amendment was published on March 18, 1988. No protests have been received.

On September 19, 1988, staff advised that the facts alleged in the application meet the requirements of General Order (GO) 150-A and PU Code §§452 and 452.1 as interpreted in Frank C. Allegre Trucking, Decision 88-08-069 in Application 86-10-009.

Findings of Fact

1. The rates set forth in Appendix A to this decision are required by the needs of commerce or the public interest.
2. The rates are fully compensatory for transportation between origins and destinations.
3. No hearing is required.
4. Since the subject matter of the order is rate relief, it should be effective today.

Conclusions of Law

1. The application should be granted.
2. Under GO 150, the authority should expire in one year.

ORDER

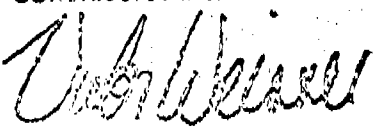
IT IS ORDERED that applicant is authorized to publish and charge the rates set forth in Appendix A for one year from the effective date of this order.

This order is effective today.

Dated NOV 23 1988, at San Francisco, California.

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

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

  
Walter Weister, Executive Director

## APPENDIX A

COMMODITY: Cement in sacks (Subject to Notes 1 through 4)							
FROM: Column A: rates apply only from Davenport, Permanente, or Union City. Column B: rates apply only from Stockton.							
TO: Points in Stanislaus County taking distances shown below.							
MINIMUM WEIGHT: 52,000 pounds per unit of carriers equipment.							
MILES (See Item 55)		RATES		MILES (See Item 55)		RATES	
OVER	BUT NOT OVER	COLUMN A	COLUMN B	OVER	BUT NOT OVER	COLUMN A	COLUMN B
15	20	(See Note 2)	23 1/2	95	100	48 1/2	(See Note 2)
20	25	(See Note 2)	24 3/4	100	105	50 1/4	(See Note 2)
25	30	(See Note 2)	26 1/4	105	110	52 1/4	(See Note 2)
30	35	(See Note 2)	27 3/4	110	115	54 1/4	(See Note 2)
35	40	(See Note 2)	29 1/4	115	120	56 1/4	(See Note 2)
40	45	(See Note 2)					
45	50	26 1/2	33 1/2	120	125	58 1/4	(See Note 2)
50	55	29 1/2	36 1/2	125	130	59 1/2	(See Note 2)
55	60	32 1/2	39 1/2	130	135	61	(See Note 2)
60	65	35	42	135	140	62 1/4	(See Note 2)
65	70	38	45	140	145	64 1/2	(See Note 2)
70	75	40 3/4	47 3/4	145	150	66	(See Note 2)
75	80	42	49	150	160	68 1/2	(See Note 2)
80	85	43 1/2	50 1/2	160	170	70 1/4	(See Note 2)
85	90	44 3/4	▲ (See Note 2)	170	180	72 1/2	(See Note 2)
90	95	47	▲ (See Note 2)				

NOTE 1: Shipments shall be loaded by consignor and unloaded by consignee with power equipment furnished without expense to carrier.

NOTE 2: For mileage brackets for which rates are not provided in this item, other provisions of tariff apply.

NOTE 3: One hour shall be allowed for loading and one hour shall be allowed for unloading. A charge for time in excess of that allowed shall be assessed by carrier at the rate of \$6.50 per one-quarter hour, or fraction thereof.

NOTE 4: Not subject to Item 110.