

Decision 89 05 009 MAY 10 1989

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of T & T Trucking, Inc., )  
for the authority to deviate from )  
minimum rates in MRT 7-A for the )  
account of Madera Glass Co., under )  
Section 3666 of the Public Utilities )  
Code. )

Application 88-12-043  
(Filed December 21, 1988)

OPINION

T & T Trucking, Inc. (applicant) is a California corporation located in Lodi. A certified copy of its Articles of Incorporation is in Commission Transportation File T-84,759. Applicant operates as a highway common carrier of general commodities, contract carrier, dump truck carrier, agricultural carrier, and a heavy specialized carrier.

Applicant is applying for authority to deviate from the minimum rates in Minimum Rate Tariff 7-A on the transportation of silica sand in bulk in dump trucks and trailers, from Corona to Madera for Madera Glass Company. The tariff rate is \$23.90 a ton, with a minimum load of 24 tons per unit of equipment, over 283 actual highway miles. Applicant will assess a rate of \$16.50 per ton, subject to a minimum weight of 26 tons (52,000 pounds) per unit of equipment, with accessorial charges to apply, as noted in Item 90 of MRT 7-A.

A minimum of 2 truckloads daily will be transported from Corona to Madera, in equipment which first hauled silica sand from Ione to the City of Industry. It is alleged that the cost of the Corona to Madera haul will be minimal because loading and unloading is performed by gravity without charge, and the movement will further reduce the distance that applicant's trucks must cover without cargo.

Subhaulers will not be used to perform this transportation.

Appendixes attached to the application include applicant's balance sheet and profit and loss statement, along with cost studies on the proposed transportation at the deviated rate. It is noted that the revenue per trip will be \$1,041.79, performed at a cost of \$784.47 with a profit of \$257.32, resulting in an operating ratio of 75.30%.

The shipper provided a letter in support of the application.

Copies of the application were mailed to the California Trucking Association, California Carrier Association, and the California Dump Truck Owners Association. Notice of the filing of the application appeared in the Commission's Daily Calendar on December 28, 1988. There have been no protests or requests for a 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 silica sand in bulk, from Corona to Madera for Madera Glass Company.
2. Applicant will be transporting a minimum of 2 truckloads of sand per day.
3. Applicant will not be charged for loading or unloading.
4. Shipments will be loaded and unloaded by gravity.
5. Excess loading and unloading time will be subject to Item 90, MRT 7-A.
6. Cost data submitted with the application indicates that transportation at the proposed rate will be compensatory.
7. Applicant has stated that subhaulers will not be used.
8. No protests have been received.
9. A public hearing is not necessary.
10. The proposed rate is reasonable.

Conclusions of Law

1. The application should be granted to the extent set forth in the following order.
2. Since there is an immediate need for the sought relief, the effective date of this order should be today.
3. This authority should expire in one year.

ORDER

IT IS ORDERED that:

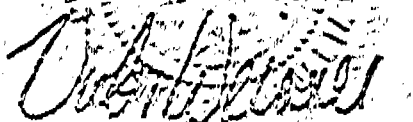
1. T & T Trucking, Inc. is authorized to depart from the provisions of MRT 7-A to the extent set forth in Appendix A attached.
2. The authority granted shall expire one year after the effective date of this order.
3. In all other respects, the provisions of MRT 7-A shall apply.

This order is effective today.

Dated MAY 10 1989, at San Francisco, California.

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

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

  
Victor Weisler, Executive Director

APPENDIX A

Carrier: T & T Trucking, Inc. (T & T)  
Commodity: Silica Sand, ground or pulverized, in bulk.  
Origin: Corona and vicinity.  
Destination: Madera Glass Co., Madera, CA.  
Minimum Weight: 52,000 pounds (26 Tons) per unit of equipment.  
Rate: \$0.825 cents per 100 pounds (\$16.50 per ton).  
Conditions:

Rate applies only when:

- a. Consignor loads and Consignee unloads without expense to carrier.
- b. Shipment is loaded and unloaded by gravity.
- c. Any subhauler employed shall be paid no less than the rate authorized without a deduction for the use of T & T's trailing equipment.
- d. In all other respects, the rates and rules in Minimum Rate Tariff 7-A shall apply.
- e. Excess loading and unloading time is subject to Item 90, MRT 7-A.

(END OF APPENDIX A)

Subhaulers will not be used to perform this transportation.

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