

ORIGINAL

Decision S2 03 0S1 MAR 16 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of AGRI TRANSPORT, INC.)
for authority to charge less than)
the maximum reasonable rate for the)
transportation of Apples from)
Watsonville to Los Angeles Local)
Produce Territory under Section 452))
of the Public Utilities Code.)

Application 60894
(Filed September 10, 1981;
amended November 23, 1981
and January 29, 1982)

O P I N I O N

By this application^{1/}, as amended, Agri Transport, Inc. (Agri), requests authority to publish less-than-minimum rates in Westcoast Motor Tariff Bureau, Inc., Agent, Fresh Produce Tariff No. 1, Cal PUC No. 6 for shipments of apples from Watsonville to Los Angeles Local Produce Territory. Agri desires to assess charges on a per carton basis rather than in cents per 100 pounds.

The application, as amended, is based on special circumstances and conditions. The needs of commerce and the public interest require the use of a per carton charge for the transportation of apples.

^{1/} Following past practice this application should have been docketed as a petition for modification in Case 5438, the continuing proceeding for MRT 8-A; however, as this decision affects MRT 8-A only through alternative rate application we may process this matter as an application.

Revenue and expense data submitted by applicant indicate that the transportation involved may reasonably be expected to be profitable under the proposed charges.

The application and amendments were listed on the Commission's Daily Calendars of September 18, November 25, 1981, and February 1, 1982, respectively. No objection to the granting of the application, as amended, has been received.

The proposal is not a major action significantly affecting energy efficiency within the meaning of Public Utilities (PU) Code Sections 3502.1 and 3502.2.

Findings of Fact

1. The needs of commerce and the public interest require that the proposed rates on apples from Watsonville to the Los Angeles Local Produce Territory be established.
2. The proposed rates are reasonable and justified by transportation conditions.
3. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.
4. A public hearing is not necessary.
5. The effective date of this order should be the date of signature because there is immediate need for this rate relief.

Conclusion of Law

The Commission concludes that the application, as amended, should be granted as set forth in the ensuing order.

O R D E R

IT IS ORDERED that:

1. Agri Transport, Inc., is authorized to publish and file rates for the transportation of apples as set forth and subject to the conditions specified in attached Appendix A.

2. Tariff publications authorized to be made as a result of this order shall be filed not earlier than the effective date of this order and may be made effective not earlier than 5 days after the effective date of this order on not less than 5 days' notice to the Commission and to the public.

3. Agri Transport, Inc., is authorized to depart from the provisions of the PU Code Section 461.5 to the extent necessary to establish and maintain the rates authorized by this order.

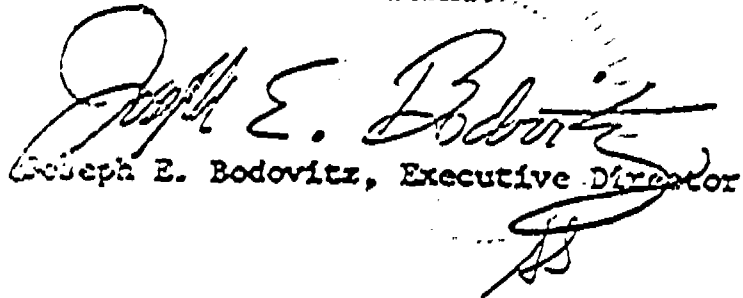
4. The authority granted shall expire unless exercised within 90 days after the effective date of this order.

This order is effective today.

Dated MAR 16 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
LEONARD M. GRIMES, JR.
VICTOR CALVO
PRISCILLA C. GREW
Commissioners

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


Joseph E. Bodovitz, Executive Director

APPENDIX A

Carrier: Agri Transport, Inc.
Commodity: Apples in cartons
From: Watsonville, California
To: Points in Los Angeles Local Produce Territory as described in Item 420 of Westcoast Motor Tariff Bureau, Inc., Agent, Fresh Produce Tariff No. 1, Cal PUC No. 6
Rate: 80 cents per carton
Minimum Quantity: 1050 cartons or more tendered at one time by one shipper.
Charge for Mechanical Refrigeration: 3 cents per carton

Conditions:

1. Rate includes split delivery not to exceed a total of five split delivery components. For stops in excess of five the provisions of Item 510 shall apply.
2. In all other respects, the rates and rules in Westcoast Motor Tariff Bureau, Inc., Agent, Fresh Produce Tariff No. 1, Cal PUC No. 6 shall apply.

(END OF APPENDIX A)