

Decision 83 05 635 May 4, 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Barbara L. Bibb,)
for authority to deviate from the)
minimum rates established in)
Minimum Rate Tariff 17-A for the)
transportation of crushed)
aggregate base for the account of)
Best Western Paving, Inc. under)
Section 3666 of the Public)
Utilities Code.)

Application 82-11-51
(Filed November 24, 1982;
amended January 6, 1983)

SUPPLEMENTAL INTERIM OPINION

Decision 83-02-078 in this proceeding granted Barbara L. Bibb, an individual doing business as Dispatch Trucking, interim authority to transport crushed aggregate base at rates below those published in Minimum Rate Tariff (MRT) 17-A from Irwindale to Berths 121-126 at Los Angeles Harbor. This transportation is expected to extend over 13-1/2 months. Applicant intends to use the services of subhaulers.

The application, as amended, lists a large group of subhaulers who desire to participate in the transportation. The staff analysis of this group found many of the subhaulers listed could not be readily identified because of illegible signatures and "T" numbers. Because of applicant's desire to start the project these individuals were omitted from the interim decision pending positive identification by applicant.

Identification has now been completed and the Amended Appendix A, attached, includes all of the qualified subhaulers who have indicated their desire to participate in this traffic at the deviated rate level.

Findings of Fact

1. A large volume of crushed aggregate is to be transported over a period of approximately 13-1/2 months.
2. Subhaulers are to provide power equipment and some trailing equipment for the proposed transportation.
3. Cost data submitted previously detail subhauler costs.
4. Amended Appendix A, attached, identifies qualified subhaulers omitted from Decision 83-02-078.

Conclusions of Law

1. The additional subhaulers in Amended Appendix A, attached, should be included as participants in the transportation at the deviated rate.
2. The conditions established by the Interim Order are still in force.
3. Because there is an immediate need for the supplemental interim authority, the following order should be made effective today.

SUPPLEMENTAL INTERIM ORDER

IT IS ORDERED that:

1. Barbara L. Bibb, doing business as Dispatch Trucking, may depart from the rates in MKT 17-A by charging not less than the rate in Appendix A, subject to the following conditions:

- a. Unless appropriate cost showing for Barbara L. Bibb dba Dispatch Trucking and for subhaulers are furnished, no continuation of the authority will be authorized.
- b. Barbara L. Bibb, dba Dispatch Trucking shall pay subhaulers the full amounts provided in MKT 17-A for all transportation subject to this order in the event that results of operations for the first 750 loads transported at the authorized rate should show the relief not justified.
- c. Barbara L. Bibb, dba Dispatch Trucking shall file, on or before the 25th day of each month following the calendar month in which transportation was performed, a statement, certified under penalty of perjury, whether all subhaulers engaged in the transportation have been paid in accordance with those provisions of Item 460, MKT 17-A which relate to time of payment, and if any of them have not been paid any amount due, their names and the reasons for such failure to pay shall be shown.
- d. Barbara L. Bibb, dba Dispatch Trucking shall furnish the Commission with the information listed in Appendix B within ten days after the last load referred to there is delivered.

e. The acceptance by Barbara L. Bibb, dba Dispatch Trucking of the interim authority is evidence of her agreement to these conditions.

2. This authority shall expire 120 days after the effective date, unless sooner cancelled by the Commission after hearing.

3. A public hearing on this application will be scheduled to receive evidence regarding: (1) performance and cost data experienced by Dispatch Trucking and subhaulers it engages in performing the transportation in question, and (2) other material issues, including determination of a reasonable rate for the future for the transportation in issue should the actual performance and cost data not support the rate authorized.

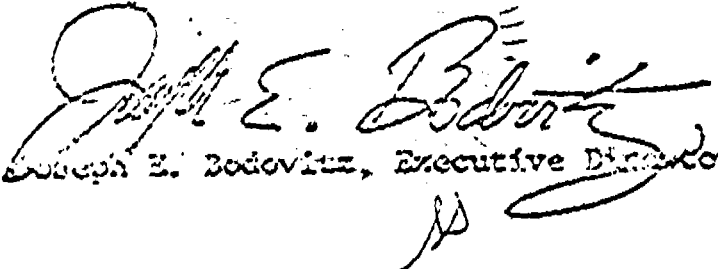
4. The staff is directed to monitor the transportation in question to ensure that the subhaulers are being paid within the time frame set forth in Item 460 of MRT 17-A. Upon receipt of evidence from the staff that the subhaulers are not being timely paid, the Commission will consider suspending the authority granted by this order.

This order is effective today.

Dated MAY 4 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. CREW
DONALD VIAL
Commissioners

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


Joseph E. Bodovitz, Executive Director

AMENDED APPENDIX A
Page 1

Carrier: Barbara L. Bibb, dba Dispatch Trucking
Commodity: Crushed Aggregate Base
From: Conrock Company, Irwindale
To: Los Angeles Harbor - Berths 121-126
Minimum Weight: 25 tons per unit of equipment
Rate: \$3.40 per ton

Conditions:

1. The minimum weight shall apply per unit of carrier's equipment, consisting of a tractor and one or more gravity dump semi- or full trailers.
2. Applicant has indicated that subhaulers are necessary and will be engaged, but applicant has not submitted costs for all of the subhaulers. Therefore, if any of the below-named subhaulers are employed, they shall receive 95% of the deviated rate authorized. If applicant provides trailing equipment, she may deduct an additional 20% for the use of the trailing equipment.
3. If any subhaulers other than those named on pages 2, 3 and 4 of this Appendix are employed, they shall be paid not less than the authorized deviated rate.

AMENDED APPENDIX A

Page 2

T-124,500	Mark H. Uyekawa	T-129,512	Payne Trucking
T-139,100	Otto Lugo & Robert Taylor	T-130,613	Kascon & Sons Trucking
T-130,301	Viking Trucking	T-125,313	H & P Trucking
T-135,301	John Chavira	T-100,414	Raul D. Soto
T-136,002	O.M. Trucking	T-130,714	Tom Wetzel Trucking
T-139,102	A. F. & J. deLeon	T- 67,214	Ronald J. Christiansen
T-128,803	Phuong T. Le	T-118,114	Mark IV Trucking Co.
T-109,305	Cleveland & Sons	T- 81,915	Joe Mann
T- 97,407	Boyd E. Watkins, Jr.	T-132,817	Griffin Trucking
T- 41,108	Riphagen & Sons	T-136,318	Robert E. Peterson
T- 84,909	Phillip Alaimo	T- 83,919	Harold W. Goodman
T-126,209	Ronald D. Brown	T-135,322	Daryle W. Goodman
T-130,610	Marshall Hayden	T- 90,823	Carl E. Vaughan
T- 90,112	Enio Kanzolin	T-132,823	U. S. Trucking
T-137,028	Bennett W. Howard	T-132,250	Marion C. Maloy
T-115,528	Wayne D. Mardin	T-138,053	Jennie Chambers
T- 68,529	John/Margie Norwood	T-132,558	S & J Trucking
T- 79,229	Frederick Morris	T-121,659	JRS Truck Line
T-109,429	Kuen Lomeli	T-126,559	K & S Equipment
T-133,432	Milton M. Soy	T- 94,460	B & P Freight & Produce
T-103,732	Jennings Trucking Co.	T- 60,861	Robert L. McCool
T-124,932	Eladio Becerra	T-130,862	Williams Trucking
T-129,833	Howard Beecn	T-134,763	John E. Haynes
T-121,034	Ayala & Sons	T- 84,964	Richard Amparan
T-118,835	B & A Trucking	T- 18,964	Stanley A. Cunningham
T-139,135	Robert E. Binger	T-134,965	Fred wright, Jr.
T-130,137	hector Carrillo Trucking	T-102,066	McCloskey & Sons
T- 95,737	Boyd Trucking	T-136,466	Toles Trans.
T-105,937	Tyrone Sneider	T-137,366	Thomas C. McGee
T-124,838	Kregers Trucking	T- 84,169	John W. Carlson
T- 82,739	Fred Tedford	T-133,669	Z. Lara Trucking
T- 95,442	B & E Trucking	T-123,471	Kruizneg Trucking
T-137,242	Baber Brothers	T-125,872	Tom Montgomery
T-118,142	D. J. Chambers Trucking	T-138,772	Forrest M. Perry
T-131,343	Miguel C. Elias	T- 69,573	Roy R. Martin
T- 92,243	Bobby D. McGrady	T-118,875	Orantes Trucking
T-136,643	Roland & Son	T-124,577	L & B Bibb Trucking
T-132,044	Alan J. Hogan	T-125,178	Ken Williams
T-134,944	Rhodes Bros., Inc.	T-134,379	Willie B. Hood
T-115,144	Smith & Son	T-125,179	Parker Trucking
T-136,455	T N P Trucking	T-135,579	Albert K. Steveson

AMENDED APPENDIX A

Page 3

T- 77,744	Santiago D. Arvizu	T-114,980	James M. Owen
T-137,844	M & B Trucking	T-130,781	Militello Trucking
T-131,245	Allen Lee	T-132,581	K. E. Kist Trucking Co.
T- 86,446	Bobbie F. Martin	T- 32,882	Lester E. Sonty
T- 97,546	Roadway Construction Co., Inc.	T-119,583	Bivens Trucking
T- 74,347	Virgil L. Hampton	T-134,184	Allen Millender
T-125,447	Robert H. Jones	T-134,285	Otis Dorsey
T-126,747	Russell A. Tavares	T-130,286	Phillip W. Trautman
T-101,148	Gerald F. Smith	T-129,786	Guindon Trucking
T-126,248	William R. Atkins	T-125,387	Dirty Book Trucking
T-121,749	John Rock & Bruce Degler	T-136,187	Wooten Trucking Co.
T-125,549	Batups & Son	T- 61,788	Bill Brown
T-101,450	Carter Bros. Trucking	T- 73,619	Lorin Colwell
T- 97,993	Kenneth Poole	T-134,622	Roberto Gimeno
T-134,294	Lynwood Commodities Trans.	T- 61,998	Richard Rivera
T-125,594	Richard Kaspar	T-120,813	Harold Finnigan
T-130,495	O. C. Graves	T- 77,421	William N. Smith
T-130,995	H.N.T. Trucking	T-127,449	Fred Kelley
T-127,295	H & H Trucking	T-127,253	David Harlan
T-122,897	Paul W. Christian	T-126,557	Amos Dorsey
T- 95,497	Cale Coeho	T-129,833	Howard Beech
T-129,797	Vellema Transport	T-126,559	K & S Equipment
T- 61,998	Richard Rivera	T-133,932	R. C. Gray Trucking
T- 97,498	L & M Trucking	T- 69,688	Russ Tjarks
T-138,898	Don Francis	T- 92,117	Richard W. Hart
T-130,012	Elliot Carr	T-118,875	Julio Orantes
T-134,510	Juan P. Fierro	T-129,786	Larry T. Guindon
T-135,714	Archie Crump	T- 61,788	Bill Brown
T-109,814	Perley Fields	T- 91,290	Chas. McGee
T-133,916	Richard E. Kaufman	T-133,095	Robert Castro
T-132,817	Gwendolyn Griffin	T-112,310	P. A. Csizser
T-119,020	George S. Schelhorn	T- 76,310	G. G. & S. Industries
T-125,421	Jerry L. Fields	T- 92,117	R. W. Hart
T-133,432	Milton H. Boy	T-135,117	J. K. Lona
T-129,833	Howard W. Beech	T-134,638	A. A. Sias
T-138,735	Raymond E. Swope	T-136,547	M & T Transport
T-119,137	James L. Hines	T-127,449	F. Kelley
T-115,144	Al Smith	T-125,153	Uyekawa Bros., Inc.

AMENDED APPENDIX A

Page 4

T-133,150 James Hammerich	T-120,455 Rosas Trans. & Equip.
T-135,150 John E. Reed	T-127,459 F. K. Hernandez
T-126,554 Chas. H. Wasnington	T- 90,859 W. A. Peterson
T-126,557 Amos Dorsey	T-118,462 H. Gutierrez
T-138,961 David McClain	T-139,165 J. O. Delgado
T-127,666 Eddie Timmons	T-138,872 A. R. Messina
T-121,170 Eugene Gardner	T-109,581 D. M. Block, Jr.
	T-137,691 M. D. Tejada

4. Except as otherwise provided, the rules and regulations of Minimum Rate Tariff 17-A shall apply.

(END OF AMENDED APPENDIX A)

APPENDIX B

Interim Order A.82-11-51

Detailed performance data to be recorded for the first 750 loads transported under the deviation:

1. For each unit of equipment used:
 - a. Tractor license numbers; and
 - b. Trailing equipment license numbers.
2. For each day's movement show:
 - a. Carrier's T-No.;
 - b. Driver's name;
 - c. Time when carrier reports for service.
 - d. Time and mileage reading when service commenced.
 - e. Loading time, enroute loaded time and mileage, unloading time, enroute empty returning time and mileage, and repeat for each subsequent load.
 - f. Time out for lunch and other breaks shall be noted; and
 - g. Breakdown of equipment or delays to equipment shall be noted.

(END OF APPENDIX B)



ORIGINAL

Decision S3 95 035 MAY 4 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Barbara L. Bibb,)
for authority to deviate from the)
minimum rates established in)
Minimum Rate Tariff 17-A for the)
transportation of crushed)
aggregate base for the account of)
Best Western Paving, Inc. under)
Section 3666 of the Public)
Utilities Code.)

Application 82-11-51
(Filed November 24, 1982;
amended January 6, 1983)

SUPPLEMENTAL INTERIM OPINION

Decision 83-02-078 in this proceeding granted Barbara L. Bibb, an individual doing business as Dispatch Trucking, interim authority to transport crushed aggregate base at rates below those published in Minimum Rate Tariff (MRT) 17-A from Irwindale to Berths 121-126 at Los Angeles Harbor. This transportation is expected to extend over ~~13~~ 13-1/2 months. Applicant intends to use the services of subhaulers.

The application, as amended, lists a large group of subhaulers who desire to participate in the transportation. The staff analysis of this group found many of the subhaulers listed could not be readily identified because of illegible signatures and "T" numbers. Because of applicant's desire to start the project these individuals were omitted from the interim decision pending positive identification by applicant.