

Decision 83 09 037 SEP 7 1983**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Arvo A. Lyly, Alvin A. Lyly & Arnold A. Lyly, dba Arvo Lyly & Sons, for authority to increase rates in Transition Tariff #2, Items #690 and 691 only.

Application 83-06-63  
(Filed June 30, 1983)

O P I N I O N

Arvo A., Alvin A., and Arnold A. Lyly (applicants), doing business as Arvo Lyly & Sons, hold authority as a highway common carrier under Public Utilities Code § 1063.5. They have adopted Transition Tariff 2. By this application, they seek an increase of 10% in their rates for lumber set forth in Items 690 and 691 of their tariff. They assert that a majority of their revenue comes from shipments rateable under those Items.

Applicants contend that their operating costs have continued to increase since the last increase on lumber rates which occurred in April 1980. They allege that the sought increase in rates is necessary if they are to continue to provide adequate and dependable service to the public. In support of this claim, they have prepared financial data for the year ending December 31, 1982. From that data, staff has prepared an analysis which measures the effect of the sought increase on an annual basis. That analysis is as follows:

	<u>Without Increase</u>	<u>With Increase</u>
Revenue	\$1,726,106	\$1,815,970
Expenses Revised to Reflect Current Costs	1,758,662	1,758,662
Profit (Loss)	(32,556)	57,308
Operating Ratio	101.9%	96.8%

(Red Figure)

Notice of this application was published in the Commission's Transportation Calendar on July 6, 1983. No protests have been received and a public hearing is not necessary.

Findings of Fact

1. The increases resulting from this order are justified.
2. Under this order, applicants estimate they will realize additional yearly revenue of \$89,864.
3. The following order has no reasonably foreseeable impact on the energy efficiency of highway common carriers.
4. A public hearing is not necessary.

Conclusion of Law

The application should be granted.

O R D E R

IT IS ORDERED that:

1. Arvo A., Alvin A., and Arnold A. Lyly are authorized to publish the increases as an exception to their adoption notice to Transition Tariff 2.
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. Applicants, in establishing and maintaining the rates authorized by this order, are authorized to depart from the provisions of Public Utilities Code § 461.5 to the extent necessary to adjust long- and short-haul departures now maintained under

outstanding authorizations; such outstanding authorizations are modified only to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this decision.

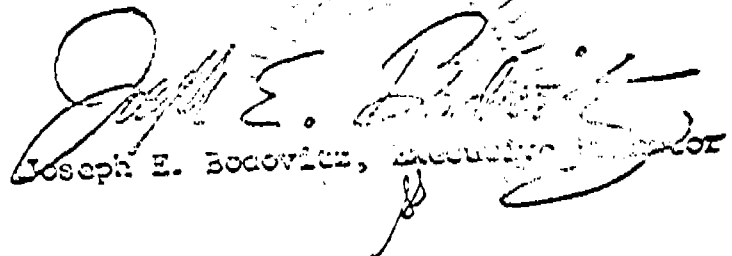
This order becomes effective 30 days from today.

Dated SEP 7 1983, at San Francisco, California.

Commissioner William T. Bagley  
being necessarily absent, did  
not participate.

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

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

  
Joseph E. Bodovitz, Executive Director

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Conclusion of Law

The application should be granted.

O R D E R

IT IS ORDERED that:

1. Arvo A., Alvin A., and Arnold A. Lyly are authorized to publish the increases as an exception to their adoption notice to Transition Tariff 2.
2. Tariff publications authorized to be made as a result of this resolution shall be filed not earlier than the effective date of this resolution 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. Applicants, in establishing and maintaining the rates authorized by this order, are authorized to depart from the provisions of Public Utilities Code § 461.5 to the extent necessary to adjust long- and short-haul departures now maintained under