

ORIGINAL

Decision No. 86650

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Adeline F. Mello)
 and Richard D. Mello, dba,)
 Northern Refrigerated Transpor-)
 tation for authority to deviate)
 from the provisions of Minimum)
 Rate Tariff #2 for the transpor-)
 tation of butter, cheese, marga-)
 rine, edible oil products and)
 related products between Wilsey)
 Foods, Inc., Los Angeles and)
 points within California.)

Application No. 56756
 (Filed September 16, 1976)

OPINION AND ORDER

By this application, Adeline F. Mello and Richard D. Mello, doing business as Northern Refrigerated Transportation, request authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of butter, cheese, margarine, edible oil products and related products between Los Angeles and various points in California for Wilsey Foods, Inc.¹

The application is based on special circumstances and conditions detailed therein.

¹The present rates, excluding the applicable surcharges, and the proposed rates for representative shipments of the aforementioned commodities are:

<u>Between</u>	<u>And</u>	<u>Present Rates</u> <u>MINIMUM WEIGHT</u> <u>45,000 Pounds</u>	<u>Proposed Rates</u> <u>MINIMUM WEIGHT</u> <u>45,000 Pounds</u>
Los Angeles MZ 235	Fresno	82	69
Los Angeles MZ 235	Sacramento	104	92
Los Angeles MZ 235	San Francisco	104	92
	MZ 102		
Los Banos	Los Angeles MZ 235	91	78
Hughson	Los Angeles MZ 235	93	82

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

The application was listed on the Commission's Daily Calendar of September 17, 1976. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that applicants' proposal is reasonable. A public hearing is not necessary. The Commission concludes that the application should be granted as set forth in the ensuing order and the effective date of this order should be the date hereof because there is an immediate need for this rate relief.


IT IS ORDERED that:

1. Adeline F. Mello and Richard D. Mello are authorized to perform the transportation shown in Appendix A attached hereto and by this reference made a part hereof at not less than the rates set forth therein.

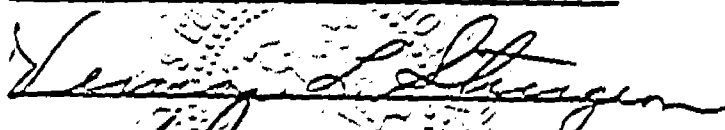
2. The authority granted herein shall expire one year after the effective date of this order unless sooner cancelled, modified or extended by further order of the Commission.


The effective date of this order is the date hereof.

Dated at San Francisco, California, this 16th day of November, 1976.



President





Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

Adeline F. Mello and Richard D. Mello, doing business as Northern Refrigerated Transportation, are authorized to transport butter, margarine, cheese, cheese foods, imitation cheese, lard, lard compounds, lard substitutes, shortening, vegetable oil shortening, monoglycerides, diglycerides, triglycerides of fat-forming fatty acids, or mixtures thereof, edible, other than shortening, with or without other edible acids; cooking or salad oil as described in Item 335.5 of Minimum Rate Tariff 2 for Wilsey Foods, Inc., between Los Angeles and various points in the State of California.

1. A rating of Class 35.4 shall be applicable on a 45,000-pound minimum weight per truckload or unit of carrier's equipment.
2. Shipments are to be palletized and loaded by shipper with power equipment furnished by the shipper at no additional cost to the carrier, other than the driver counting the freight.
3. Shipments that are palletized and have arrived at Los Angeles from northern shipping points will be unloaded by Wilsey Foods, Inc., with power equipment.
4. Shipments may be scheduled to unload at Los Angeles area and reload at Wilsey Foods, Inc., the same day for another destination.
5. Shipments that are unpalletized shall be unloaded by the carrier.
6. Shipments tendered at weights less than the 45,000-pound minimum weight shall be rated at the regular rating, rate and charge applicable in Minimum Rate Tariff 2.
7. Subhaulers shall be paid not less than 85 percent of gross revenue for any portion of the transportation performed for which deviation authority is granted.
8. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)