

ORIGINAL

Decision No. 86674

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Service Trans-
 port Lines, Inc., for authority
 to charge less than minimum
 rates in Minimum Rate Tariff No.
 2 for Campbell Soup Company, as
 provided in Section 3666 of the
 Public Utilities Code.

Application No. 56787
 (Filed October 1, 1976)

OPINION AND ORDER

By this application, Service Transport Lines, Inc., a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of salt and sugar in bulk containers from Newark, Tracy, Clarksburg and Woodland to Sacramento and the return transportation of empty bulk containers from Sacramento to the other four points named herein for Campbell Soup Company.¹

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

¹The present charges and the proposed round trip charge for representative shipments of the aforementioned commodities are:

<u>From</u>	<u>To</u>	<u>Commodity</u>	<u>Minimum Weight In Pounds</u>	<u>Present Charges</u>	<u>Proposed Charges</u>
Newark MZ 118	Sacramento	Salt	45,000	\$261.00	
Sacra- mento	Newark MZ 118	Empty Tote Bins	5,000	154.00	
		Total Round Trip		\$415.00	\$215.00
Tracy Sacra- mento	Sacramento Tracy	Sugar	40,000	212.00	
		Empty Tote Bins	5,000	141.00	
		Total Round Trip		\$353.00	\$130.00

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Revenue and expense data submitted by applicant 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 October 4, 1976. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that applicant's 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. Service Transport Lines, Inc., a corporation, is 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 23 day of November, 1976.

I will file dissent.
William Savous Jr

[Signature]
President

[Signature]

[Signature]
Commissioners

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APPENDIX A

Carrier: Service Transport Lines, Inc.,
a corporation.

For: Campbell Soup Company

Commodity: Salt, Common
Sugar
Bulk Shipping Containers, Used.

Between: Campbell Soup Company plant at Sacramento

And:

	<u>Round Trip Charge</u>
Newark	\$215.00
Tracy	130.00
Clarksburg	55.00
Woodland	70.00

Conditions:

1. Shipments shall be loaded by shipper and unloaded by consignee without assistance of, or expense to, the carrier.
2. One hour free time shall be allowed for loading and one hour free time shall be allowed for unloading.
3. Shipments shall be prepaid by Campbell Soup Company.
4. Split pickup and split delivery services shall not be allowed.
5. Gross weight of each shipment shall not exceed the legal limit imposed by State or Federal statutes.
6. Applicant has not indicated that subhaulers will be engaged nor have any costs of subhaulers been submitted. Therefore, if subhaulers are employed they shall be paid not less than the rate authorized herein without any deduction for use of applicant's trailing equipment.
7. In all other respects, the rates and rules set forth in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)

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SERVICE TRANSPORT LINES, INC.

COMMISSIONER WILLIAM SYMONS, JR., Dissenting

This decision granting a deviation is defective for the reasons previously set forth in detail in my August 24, 1976, dissenting opinion to Decision Nos. 86274 through 86279. The decision is made effective immediately, and it contains the boiler-plate language which is becoming so common in these decisions:

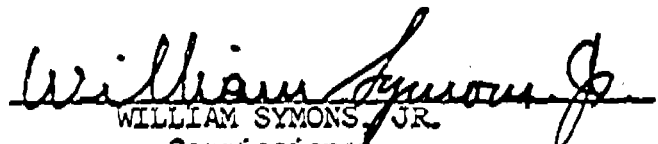
"The application is based on special circumstances and conditions detailed therein."

and

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

Thereby, the majority avoids setting forth any facts about the special circumstances of the transportation which a person might review to see if the deviation is justified.

San Francisco, California
November 23, 1976


WILLIAM SYMONS, JR.
Commissioner