

ORIGINAL

Decision No. 86730

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
 JAMES A. ROLLERI, DBA ROLLERI)
 TRUCKING, a sole proprietorship,)
 for an order authorizing depart-)
 ure from the rates, rules and)
 regulations of Minimum Rate)
 Tariff No. 2, pursuant to the)
 provisions of Section 3666 of)
 the Public Utilities Code, for)
 the transportation of lumber and)
 forest products.)

Application No. 56873
 (Filed November 15, 1976)

OPINION AND ORDER

By this application, James A. Roller1 requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of lumber and forest products for Southwest Forest Ply Company from Salyer and Burnt Ranch to all points within 250 miles of said communities.¹

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

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 November 17, 1976. No objection to the granting of the application has been received.

¹The present rates, exclusive of applicable surcharges, and the proposed rates in cents per 100 pounds, for representative 50,000-pound shipments of the aforementioned commodities are:

Over	Miles		Lumber, Ties and Timbers	
	But	Not Over	Present Rates	Proposed Rates
90	100		29½	27½
220	240		59	54

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Applicant is placed on notice that, should his operations for Southwest Forest Ply Company be between fixed termini or over a regular route, he should apply for a highway contract carrier permit.

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. James A. Roller 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 7th day of December, 1976.

I dissent.
William Lyons, Jr.

[Signature]

President

[Signature]

Commissioners

[Signature]

Commissioners

APPENDIX A

Carrier : James A. Rollerl
 Commodity : Lumber and Forest Products as described in
 Item 685 of Minimum Rate Tariff 2.
 For : Southwest Forest Ply Company
 From : Salyer and Burnt Ranch
 To : All points within a radius of 250 statute miles
 of said communities.
 Minimum Weight : 50,000 pounds

<u>Miles</u>		<u>Rates in Cents per 100 Pounds</u>
<u>Over</u>	<u>But not Over</u>	
40	50	21
50	60	22
60	70	23
70	80	24
80	90	25
90	100	27 $\frac{1}{2}$
100	110	28
110	120	29
120	130	30
130	140	32
140	150	34
150	160	36
160	170	38
170	180	40
180	190	42
190	200	45
200	220	48
220	240	54
240	260	56
260	280	60
280	300	65
300	325	66
325	350	69
350	375	72

APPENDIX A

Conditions:

1. Shipments shall be power loaded by shipper and power unloaded by consignee without assistance of, or expense to, the carrier. Carrier's employee is restricted to the tying down, securing of cargo, and covering shipments with tarpaulin or other cover.

2. Applicant has indicated subhaulers will be engaged but no subhauler costs have been submitted. Therefore, if subhaulers are employed, they shall be paid no less than the rates authorized herein without any deduction for use of applicant's trailing equipment.

3. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)