

ORIGINAL

Decision No. 86805

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of CITY FREIGHT LINES, a Califor-)
nia corporation, for authority)
to deviate from minimum rates)
pursuant to Section 3666 of the)
Public Utilities Code for the)
transportation of conduits or)
pipe, cement and asbestos fibre.)

Application No. 56516
(Filed May 27, 1976)

INTERIM OPINION AND ORDER

By this application, City Freight Lines, a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of cement and asbestos fibre conduits or pipe for Certain-Teed Products Corporation from its plant site at Crestmore to points in California within 300 miles of said origin.¹

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

The application was listed on the Commission's Daily Calendar of June 2, 1976. No objection to the granting of the application has been received.

¹ The present rates, excluding the applicable surcharges, and the proposed rates in cents per 100 pounds, for representative shipments of the aforementioned commodities are:

From Crestmore To	Present Rates Minimum Weight 40,000 Pounds	Proposed Rates
Escondido	65	53
Kingsburg	115	92
Lemoore	115	92
Newhall	67	56

In the circumstances, the Commission finds that applicant's proposal is reasonable, on an interim basis, to the extent hereinafter indicated. Applicant contemplates the use of subhaulers with remuneration at 82 percent of the deviation rates sought based upon the type of trailing equipment furnished by applicant. While applicant has provided an analysis of a representative subhauler's cost, there is no indication that any one subhauler will actually experience such a cost. The provisions for the payment to subhaulers have not been justified and will not be authorized. The Commission will consider actual costs of subhaulers when they join in the application and submit same. The Commission concludes that the effective date of this order should be the date hereof because there is an immediate need for this relief.

IT IS ORDERED that:

1. City Freight Lines, 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, and subject to the conditions specified, 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.
3. A public hearing shall be scheduled on this application at a date to be set.

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The effective date of this order is the date hereof.

Dated at San Francisco, California, this 5th day of
January, 1977.

Labsteris
William Sprouss, Jr.
Commissioner

Robert B. Farnell

President

Vernon L. Sturgeon

Leonard Ross

Commissioners

APPENDIX A
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CITY FREIGHT LINES
(a corporation)

SHIPPER: CERTAIN-TEED PRODUCTS CORPORATION

ORIGIN: Plant site of Certain-Teed Products Corporation,
Crestmore.

COMMODITY: Conduits or pipe, cement and asbestos fibre, and in
connection therewith, equipment of rubber washers
necessary in joining of pipe not to exceed five
percent of weight upon which charges are assessed.

CONDITIONS:

1. Rates shall not apply on shipments having a prior or subsequent movement by water or rail.
2. Shipments rated, or subject to rates applicable on a minimum weight of 36,000 pounds or more, shall apply per unit of carrier's equipment.
3. Shipper shall load carrier's equipment without charge to carrier.
4. Rates shall not apply to C.O.D. shipments.
5. Though applicant has indicated that subhaulers will be engaged, no adequate costs of subhaulers 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.
6. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

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APPENDIX A
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CITY FREIGHT LINES
(a corporation)

<u>MILES</u>		<u>MINIMUM WEIGHT IN POUNDS</u>		
<u>Over</u>	<u>But Not Over</u>	<u>20,000</u>	<u>36,000</u>	<u>40,000</u>
<u>Rates in Cents per 100 Pounds</u>				
0	3	51	36	33
3	5	53	39	35
5	10	56	42	36
10	15	58	43	37
15	20	61	45	39
20	25	63	46	40
25	30	64	49	42
30	35	65	50	43
35	40	68	51	45
40	45	72	53	46
45	50	73	56	48
50	60	76	59	49
60	70	82	62	51
70	80	83	65	53
80	90	87	67	56
90	100	92	68	58
100	110	94	70	60
110	120	96	74	62
120	130	100	77	64
130	140	102	81	66
140	150	106	83	67
150	160	110	85	69
160	170	112	87	71
170	180	116	91	74
180	190	118	94	77
190	200	122	96	78
200	220	128	100	82
220	240	132	104	85
240	260	138	110	87
260	280	142	115	92
280	300	147	118	96

(END OF APPENDIX A)