ORIGINAL

Decision No. ~~87007~~

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
tion for the purpose of consid-)
ering and determining minimum)
rates for transportation of any)   Case No. 5432
and all commodities statewide)   Petition for Modification
including, but not limited to,)   No. 944
those rates which are provided)   (Filed January 28, 1977)
in Minimum Rate Tariff 2 and the)
revisions or reissues thereof.)

OPINION AND ORDER

      Boyd Trucking Co., a corporation, operates as a highway common carrier. By this petition, its seeks authority to continue to publish a rate lower than those prescribed as minimum in Minimum Rate Tariff 2 for the transportation of incense cedar pencil stock from Anderson, including all points within the railhead limits of Anderson to San Leandro.[1] The current published rate and authority are scheduled to expire with February 28, 1977. Petitioner also requests that the authority be modified by increasing the rate from 51 to 54 cents per 100 pounds.[2]

---

[1]The present rate, exclusive of applicable surcharges, and the proposed rate in cents per 100 pounds for the involved transportation are:

From Anderson To	Present Minimum Rate Minimum Weight 50,000 Pounds	Proposed Rate Minimum Weight 90,000 Pounds
San Leandro Zones 113 and 114	55	54

[2]By letter dated February 1, 1977, Marvin Handler, attorney for petitioner, stated that, through inadvertence, the requested increase was stated as being from 48 to 51 cents when it should have been stated as being from 51 to 54 cents. He requested that the petition be corrected accordingly.

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

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

The petition was listed on the Commission's Daily Calendar of February 1, 1977. No objection to the granting of the petition has been received.

In the circumstances, the Commission finds that the proposed rates are reasonable and justified by transportation conditions. A public hearing is not necessary. The Commission concludes that the petition should be granted.

In view of the impending expiration date of the current authority, this order will be made effective on the date hereof.

IT IS ORDERED that:

1.   Boyd Trucking Co., a corporation, is hereby authorized to publish and file a rate of 54 cents per 100 pounds, minimum weight 90,000 pounds per shipment, for the transportation of incense cedar pencil stock from Anderson, including all points within the railhead limits of Anderson, to San Leandro, and further subject to the following conditions:

(a)   The lumber shall be prepared for shipment by the consignor.

(b)   The operation shall be conducted on a continuous 24-hour basis and in excess of 225 days a year.
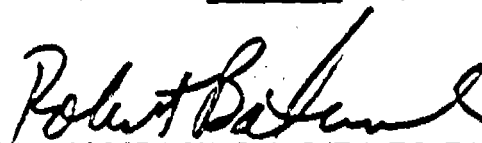
(c)   Loading of the lumber at Anderson and unloading at San Leandro shall be performed by consignor and consignee, respectively, with forklift trucks supplied by, and operated by employees of consignor and consignee.

2.   Tariff publications authorized to be made as a result of the order herein may be made effective on not less than one day's notice to the Commission and to the public.
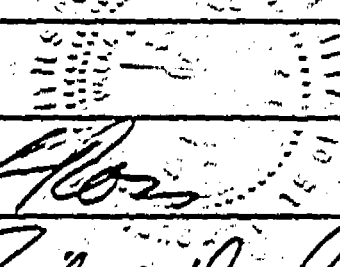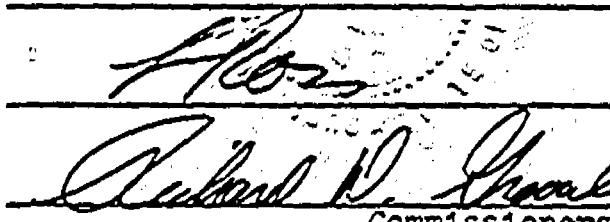
3.   Boyd Trucking Co., in establishing and maintaining the rates authorized above, is authorized to depart from the long- and short-haul provisions of Section 461.5 of the Public Utilities Code to the extent necessary to exercise the authority granted herein. Schedules containing the rates published under this authority shall make reference to this order.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this __22nd__ day of February, 1977.

_____
                                        President

_____

_____

_____
                                        Commissioners

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

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.