

ORIGINAL

Decision No. 87066

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of SMERBER TRANSPORTATION, INC.,)
a corporation doing business as)
SMERBER TRANSPORTATION, INC. for)
authority to deviate from minimum)
rates for the transportation of)
Cocktail Mix, for TAHITIAN PRO-)
DUCTS CO., Shipper, pursuant to)
Section 3666 of the Public Utili-)
ties Code.)

Application No. 56949
(Filed December 16, 1976)

OPINION AND ORDER

By this application, Smerber Transportation, Inc., a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of cocktail mix for Tahitian Products Company between its plant sites at or near Corona and various points in California.

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

Revenue and expense data submitted by applicant are sufficient to determine 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 December 17, 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. Smerber Transportation, 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 9th day of March, 1977.

Robert Batnick

President

William L. Stegman

Richard D. Gresham

Commissioners

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

APPENDIX A

Carrier: Smerber Transportation, Inc.
 Commodity: Cocktail mix, as described in Item 72500 of the National Motor Freight Classification, NMF 100-C.
 For: Tahitian Products Company.
 Between: Plant sites at or near Corona.
 And: Various points in California.
 Ratings:

	<u>Class Rating</u>
Less Truckload	50.1
<u>Minimum Weight</u>	
30,000 Pounds	35
36,000 Pounds	35.1
42,000 Pounds	35.2
45,000 Pounds	35.3

Conditions:

1. Shipper shall perform all loading; carrier will assist consignee in unloading.
2. The above ratings are subject to a declared valuation of one-half the actual value or 50 cents per pound, per article, whichever is less.
3. 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 no less than the rates authorized herein without any deduction for use of applicant's trailing equipment.
4. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)