

ORIGINAL

Decision No. 87205

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of COYNER TRUCKING COMPANY, INC.,)
a corporation, for authority to)
deviate from the rates, rules and)
regulations of Minimum Tariff 2 in)
the transportation of canned food-)
stuffs for the account of H. J.)
Heinz Company under the provisions)
of Section 3666 of the Public)
Utilities Code.)

Application No. 56950
(Filed December 16, 1976)

OPINION AND ORDER

By this application, Coyner Trucking Company, Inc., a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of canned foodstuffs for H. J. Heinz Company from Tracy to various California points at rates 5 cents per 100 pounds less than the otherwise applicable minimum rates on shipments which are power loaded by the shipper without assistance of, or expense to, the carrier.

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 December 20, 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. Coyner Trucking Company, 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 12th day of April, 1977.

Robert Bateman

President

William J. Lyons Jr.

James L. Sturgeon

John

Richard D. Howell

Commissioners

APPENDIX A

Coyner Trucking Company, Inc., a corporation, is authorized to transport canned foodstuffs for H. J. Heinz Company from Tracy to various points in the State of California at a rate reduction of 5 cents per 100 pounds on any and all shipments power loaded by the shipper without assistance of, or expense to, the carrier, subject to the following conditions:

1. 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.
2. When the elapsed time between commencement and completion of the loading of shipments exceeds 1 hour, the charges specified in Item 145 of Minimum Rate Tariff 2 shall apply.
3. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)