

Decision No. 87290

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of BYRON H. VAN )  
METRE, d.b.a. C. H. VAN METRE & )  
SON, for authority to charge at )  
hourly rate for load, transport )  
and unload with no return time )  
on transport of low value sand )  
and concrete aggregate for Dry- )  
Mix Products - per California )  
Public Utilities Code Sec. 3666. )

Application No. 56982  
(Filed January 4, 1977)

OPINION AND ORDER

By this application, Byron H. Van Metre, doing business as C. H. Van Metre & Son, requests authority to deviate from the provisions of Minimum Rate Tariff 7-A in connection with the transportation of low value sand and concrete aggregate from Cache Creek (Yolo County) to Roseville (Placer County) for Dry Mix Products. Applicant proposes to assess hourly rate in said tariff by computing the time only for loading, transporting and unloading and to exclude the time for return transportation.

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 January 6, 1977. 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 the order should be the date hereof because there is an immediate need for this rate relief.

IT IS ORDERED that:

1. Byron H. Van Metre 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 3rd day of MAY, 1977.

*I dissent*  
*William Sproull, Jr.*  
Commissioner

*I dissent only to*  
*the effective date*  
*Vernon L. Sturgeon*  
Commissioner

*Robert Bakriand*  
\_\_\_\_\_  
President

*Vernon L. Sturgeon*  
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*Richard D. Crull*  
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Commissioners

## APPENDIX A

Byron H. Van Metre, doing business as C. H. Van Metre & Son, is authorized to transport low value sand and concrete aggregate from Cache Creek (Yolo County) to Roseville (Placer County) for Dry Mix Products. The charges to be assessed for the aforementioned transportation may be determined by computing the time in connection with the applicable hourly rate in Minimum Rate Tariff 7-A only for the period consumed in performing the loading, transporting and unloading. The computation of time will cease upon completion of the unloading procedure at Roseville.

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. In all other respects, the rates and rules in Minimum Rate Tariff 7-A shall apply.

(END OF APPENDIX A)