

Decision No. 87291

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of V. B. MORGAN CO., a California)
corporation, for authority to)
deviate from Minimum Rate Tariff)
7-A for the account of Cyprus)
Industrial Minerals Company.)

Application No. 56938
(Filed December 10, 1976)

OPINION AND ORDER

By this application, V. B. Morgan Co., a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 7-A in connection with transportation of clay and talc for Cyprus Industrial Minerals Company by not assessing additional charges for Saturday, Sunday or holiday service.

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 14, 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.

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IT IS ORDERED that:

1. V. B. Morgan Co., 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 canceled, 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 Squares Jr.
Commissioner

I dissent only to the effective date

Vernon L. Sturgeon
Commissioner

Robert B. ...
President

Vernon L. Sturgeon
Richard D. ...

Commissioners

APPENDIX A

Carrier: V. B. Morgan Co., a corporation

Shipper: Cyprus Industrial Minerals Company

Commodities: Clay and talc, in bulk

Origin: Panamint Mine located in Death Valley

Destinations: Dunn Siding, California and the plant site of Cyprus Industrial Minerals Company located at 2143 Bay Street, Los Angeles, California.

Rates: The provisions of Minimum Rate Tariff 7-A shall be applicable except the additional charges for service performed on Saturdays, Sundays and holidays, Item 260, MRT 7-A, shall not be applicable.

Condition: If subhaulers are employed, they shall be paid not less than 95 percent of the authorized rate.

(END OF APPENDIX A)