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ORIGINAL

Decision No. 87563 July 6, 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of William H. )  
Bannister, III d/b/a/ Trans-Cal )  
Trucking Co. authority to deviate )  
from certain minimum rates pursu- )  
ant to Section 3666 of the )  
California Public Utilities Code )  
for Potlatch Corp. )

Application No. 57123  
(Filed March 3, 1977)  
(Amended April 5, 1977)

OPINION AND ORDER

By this application, as amended, William H. Bannister, III, doing business as Trans-Cal Trucking Co., requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of printing paper, other than newsprint or carbonized paper, from Pomona to various points in California for Potlatch Corporation.

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

The application and amendment were listed on the Commission's Daily Calendars of March 7 and April 7, 1977, respectively. California Trucking Association objected to the ex parte handling of this matter, stating that the application is a renewal of a "me too" Application (56626) which was to have been heard on a common record with the applications of Rabbit Transit, Rogers Trucking and Bert Jessup but was dismissed prior to hearing at the written request of applicant.

Supplemental 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.

In the circumstances, the Commission finds that applicant's proposal is reasonable to the extent hereinafter indicated. Applicant contemplates the use of subhaulers with remuneration at 60

percent of the deviation rates sought. While applicant has provided an analysis of a representative subhauler's cost, there is no indication that any one subhauler will actually experience such a cost. The provision for the payment to subhaulers has not been justified and will not be authorized. A public hearing is not necessary.

The Commission concludes that the application, as amended, 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 relief.

IT IS ORDERED that:

1. William H. Bannister, III, doing business as Trans-Cal Trucking Co., 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 6<sup>th</sup> day of JULY, 1977.

*I will dissent.*  
*William Quous, Jr.*

*Robert B. Bannister*  
President

*Vernon L. Sturgeon*  
*Richard D. Howell*

Commissioners

## APPENDIX A

William H. Bannister, III, doing business as Trans-Cal Trucking Co., is authorized to transport shipments of paper, printing, other than newsprint or carbonized paper, from Potlatch Corporation, Pomona, to various points in California, subject to the following conditions:

1. A rating of Class 35.2 shall be applicable on a 40,000-pound minimum weight per shipment.
2. An average minimum of six (6) loads per week shall be tendered by shipper.
3. Applicant has indicated that subhaulers will be engaged. 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 set forth in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)