

ORIGINAL

Decision No. 87591 July 12, 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of DONALD R. JOHNSON	)	
and JACK L. BISHOP, partners	)	
doing business as THE RIDGE	)	Application No. 56977
TRUCKING COMPANY for authority	)	(Filed January 3, 1977)
to charge less than the minimum	)	
rates pursuant to Sections 3666	)	
and 5195 of the Public Utilities	)	
Code.	)	

OPINION AND ORDER

By this application, Donald R. Johnson and Jack L. Bishop, doing business as The Ridge Trucking Company, request authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of lumber for Brunswick Timber Products Corp. and Yuba River Lumber Co., Inc., from Grass Valley to Auburn.

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

The application was listed on the Commission's Daily Calendar of January 4, 1977. California Trucking Association (CTA) opposed the ex parte consideration of the application stating that there was not enough information to determine whether the proposed rate is related to the costs of performing the service and that costs presented are lump sum with no indication as to their source or accuracy. CTA declares that the application should be set for public hearing in conjunction with the anticipated public hearings covering the Commission's staff study of lumber and lumber products.

Revenue and expense data submitted by applicants are sufficient to determine that the transportation involved may reasonably be expected to be profitable under the proposed rate.

Applicant's proposal is not unlike other similar requests which have been granted and should not be delayed pending CTA's suggestion.

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. Donald R. Johnson and Jack L. Bishop are authorized to perform the transportation shown in Appendix A attached hereto and by this reference made a part hereof at not less than the rate 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 12<sup>th</sup> day of JULY, 1977.

*I dissent*  
*William Lyons, Jr.*

*Robert Bateman*  
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President

*Yvonne L. Sturgeon*  
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*Richard D. Gault*  
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Commissioner CLAIRE T. DEDRICK did not participate in the disposition of this proceeding.

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Commissioners

## APPENDIX A

Carrier: Donald R. Johnson and Jack L. Bishop, doing business as The Ridge Trucking Company.

For: Brunswick Timber Products Corp. and Yuba River Lumber Co., Inc.

Commodity: Rough lumber.

From: Brunswick and Bear River Sawmills, Grass Valley.

To: Auburn plane and dry kilns, Auburn.

Rate: \$30.00 per truck load.

## Conditions:

1. Shipments shall be loaded by shipper in strapped bundles with fork lifts.
2. Applicant has not indicated subhaulers will be engaged nor have any costs of subhaulers been submitted. Therefore, if subhaulers are employed, they shall be paid not less than the charge authorized herein without any deduction for use of applicant's trailing equipment.
3. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)