

Decision No. 87653

JUL 26 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Tally's Truck Line, for)
authority to deviate from certain)
minimum rates pursuant to Section)
3666 of the California Public)
Utilities Code for transportation)
for AL CAN CABLE CO. (sic))

Application No. 57055
(Filed February 4, 1977)

OPINION AND ORDER

By this application, Tally's Truck Line, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of aluminum or copper electric cable for Alcan Cable West, Division of Alcan Aluminum Corporation, from Sunset Whitney Ranch to various destinations.

Applicant states that these shipments of electric cable are loaded by the shipper and unloaded by the consignee and the necessary dunnage is supplied and installed by the shipper. Applicant avers that these shipments do not have to be protected from weather conditions and damage claims are held to a minimum. Applicant declares that the shipper will use any available type of trailer and will accept such equipment for loading any time, day or night, seven days a week.

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 February 8, 1977. California Trucking Association (CTA) objected to the ex parte handling of this matter stating that the application does not contain any information, other than lump sum cost figures, which would enable the Commission to determine whether the proposed rates are related to the cost of performing the services.

Applicant by letter has furnished additional revenue and expense data for this transportation. Such data indicate that the proposed rates would yield a yearly revenue of \$78,797; applicant would incur expenses of \$63,938 in performing the service; and the involved operation under the sought rates would result in a profit of \$14,859.

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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. Tally's Truck Line 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, ^{shall be twenty days after} is the date hereof. *that.*

Dated at San Francisco, California, this 26th day

of JULY 7, 1977.

Robert Bateman
President

Vernon L. Sturgeon
Richard D. Givelle

Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.

I dissent.
William Lyons Jr

APPENDIX A

Carrier: Tally's Truck Lines
 Commodity: Aluminum or Copper Electric Cable
 Shipper: Alcan Cable West, Division of Alcan Aluminum Corporation
 From: Sunset Whitney Ranch
 To: Electric substation facilities of:

Pacific Gas and Electric Company
 San Diego Gas and Electric Co.
 Southern California Edison Co.

at

| | |
|------------------|------------------------|
| Alhambra | Long Beach |
| Bakersfield | Los Angeles |
| Emeryville | San Diego |
| Fresno | San Jose |
| Huntington Beach | San Luis Obispo |
| Irwindale | |

Rate: Class Rating 35.2 subject to a minimum weight of 32,000 pounds per shipment.

Conditions:

1. Shipments to be loaded by shipper and unloaded by consignee by power equipment without physical help of carrier's driver.
2. One hour's time shall be allowed for loading or unloading.
3. Trailers may be left for loading by shipper or unloading by consignee without additional charge.
4. Shipper shall supply and install all necessary dunnage required for movement over the road which includes wood blocks, 4 by 4 beams, bracing and the necessary labor to load.
5. Applies on authorized commodities in straight or mixed shipments.

APPENDIX A

6. 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.
7. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)