

Decision No. 87722 August 16, 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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|--------------------------------------|-----------------------|
| In the Matter of the Application) | |
| of PROGRESSIVE TRANSPORTATION) | |
| COMPANY, a California corpora-) | |
| tion, to deviate from minimum) | Application No. 56557 |
| rates pursuant to Section 3666) | |
| of the Public Utilities Code for) | |
| the transportation of steel plate,) | |
| coils and billets for the account) | |
| of Norris Industries.) | |

INTERIM OPINION AND ORDER SUSPENDING DECISION 87592
AND REINSTATING THE PROVISIONS OF DECISION 86139
AS AMENDED BY DECISION 86907

By Decision 86139 dated July 19, 1976, Progressive Transportation Company (Progressive) was granted interim authority, pending hearing, under Section 3666 of the Public Utilities Code to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of steel plate, coils, and billets from the plant of Kaiser Steel Corporation near Fontana to various points in the Los Angeles metropolitan area for Norris Industries. This authority was to expire on July 19, 1977.

By Decision 86907 dated February 1, 1977, the aforesaid interim authority was modified by amending Condition 4 of Appendix A to Decision 86139 concerning the payment to subhaulers.

By Decision 87592 dated July 12, 1977, the Commission granted the aforesaid temporary authority, as amended, for one year, but subject to certain restrictions regarding the engagement of subhaulers.

A Petition for Reconsideration and Rehearing of Decision 87592 was filed on July 20, 1977 by the applicant.

In view of the filing and pending action upon the aforesaid petition, it appears appropriate to extend for a period of not more than four months the authority granted in Decision 86139, as amended by Decision 86907 and the effective

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date of the order should be the date hereof because there is an immediate need to restore the relief as previously granted.

In the interim, the authority granted in Commission Decision 87592 will be suspended.

Therefore good cause appearing,

IT IS ORDERED that:

1. Progressive Transportation Company is authorized to perform the transportation shown in Amended 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 four months after the effective date of this order unless sooner cancelled, modified or extended by further order of the Commission.

3. Decision 87592, dated July 12, 1977 is hereby suspended pending Commission's consideration concerning applicant's Petition for Reconsideration and Rehearing of the aforesaid decision.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 16th day of AUGUST, 1977.

I dissent.
William Sproull Jr.

Robert B. Berman
President

I dissent
Vernon L. Sturgeon

Richard D. Gualala
Clair J. DeBrieh
Commissioners

(Supersedes Appendix A of Decision 86139,
and as amended by Decision 86907)

Progressive Transportation Company, a corporation, is authorized to transport steel plate, coils and billets for Norris Industries from the plant site of Kaiser Steel Corporation near Fontana to the following points, subject to the rates and conditions set forth below:

| <u>Destination</u> | <u>Rate in Cents Per 100 Pounds</u> | <u>Minimum Weight In Pounds</u> |
|---|--|-------------------------------------|
| 20000 South Western Avenue Torrance | 37 | 40,000 |
| 7606 South Ramish Street Bell Gardens | 30 | 40,000 |
| 2119 East Cury Street Long Beach | 35 (billets) 37 (steel plate and coils) | 40,000 40,000 |
| 4980 and 5215 South Boyle Avenue and 3050 Leonis Boulevard Vernon | 30 | 40,000 |

Conditions:

- 1) Shipments to be power loaded and power unloaded at no cost to the carrier.
- 2) All freight charges to be paid by Norris Industries.
- 3) The rates apply per unit of carrier's equipment.
- 4) If applicant engages subhaulers, they shall be paid no less than:
 - 18 cents per 100 pounds to Vernon
 - 17 cents per 100 pounds to Bell Gardens
 - 19 cents per 100 pounds to Long Beach and Torrance

Payments to be based upon a minimum weight of 40,000 pounds or actual weight whichever is greater.

- 5) In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF AMENDED APPENDIX A)