

Decision No. 87727 August 16, 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of BLACKBURN TRUCK)	
LINES, INC., a California)	
Corporation for authority to)	
deviate from the provisions of)	Application No. 57313
Minimum Rate Tariff No. 2 in)	(Filed May 13, 1977)
connection with the transpor-)	
tation of glass bottles,)	
carboys, demijohns and jars)	

OPINION AND ORDER

By this application, Blackburn Truck Lines, Inc., requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of glass bottles, carboys, demijohns and jars from Vernon and Maywood to various points in California.

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

The application was listed on the Commission's Daily Calendar of May 18, 1977. California Trucking Association (CTA) opposed the ex parte consideration, as proposed, stating:

"We note Applicant's assertion that the proposed rates are comparable to those charged by its competition. However, such a comparison reveals numerous contradictions to this premise and only public hearing can adequately explore this subject."

The rate comparisons to which CTA refers involve three other carriers, many rates and different weight brackets. Applicant's rates are lower than said carriers in some instances and the same or higher in other instances. Nevertheless 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.

TD-5

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. Blackburn Truck Lines, Inc., 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 16th day of AUGUST, 1977.

Robert B. Linn
President

Vernon L. Sturgeon
Philip D. Trivette
Clare L. DeBrie
Commissioners

I dissent.
William Spoons, Jr.

I dissent only to
the effective date
Vernon L. Sturgeon

A. 57313

APPENDIX A

T-77,501

Carrier: Blackburn Truck Lines, Inc.

Commodity: Glass bottles, carboys, demijohns and jars.

For: Latchford Glass Company

From: Vernon and Maywood

To the Cities of:	Rates in Cents per 100 Pounds			
	Minimum Weight in Pounds			
	30,000	35,000	40,000	45,000
Bakersfield	84	81	79	72
Delano	88	85	82	78
Digiorgio	84	81	79	72
Napa	120	115	112	108
St. Helena	125	121	118	113

To the Counties of:

Alameda	104	98	91	84
Fresno	97	93	88	81
Santa Clara	104	98	91	84
Santa Cruz	104	98	91	84
San Francisco	104	98	91	84
San Joaquin	104	98	91	84
San Mateo	104	98	91	84
Stanislaus	104	98	91	84
Tulare	97	93	88	81

Conditions:

1. 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.
2. In all other respects, the rates and rules set forth in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)