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Decision No. 87727 August 16, 1977



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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Application of BLACKBURN TRUCK LINES, INC., a California COTDOTATION for authority to deviate from the provisions of Minimum Rate Tariff No. 2 in Connection with the transportation of glass bottles, carboys, demijohns and jars

Application No. 57313 (Filed May 13, 1977)

## 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 exparte 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.

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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.

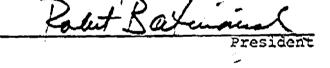
IT IS ORDERED that:

1. 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.

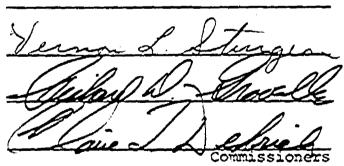
2. The authority granted herein shall expire one year after the effective date of this order unless sooner cancelled, modified or extended by further order of the Commission.

The effective date of this order is the date hereof. Dated at <u>San Francisco</u>, California, this <u>/6<sup>Ch</sup></u> day of AUGUST , 1977.

Aquions. I dissent only to the effective date Vena L. Stree



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## APPENDIX A

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Sec. 6. 1. 1.

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 Minimum 30,000	Cents per m Weight i 35,000		<u>45,000</u>
Bakersfield Delano Digiorgio Napa St. Helena	84 88 84 120 125	81 85 81 115 121	79 82 79 112 118	72 78 72 108 113
To the Counties of: Alameda Fresno Santa Clara Santa Cruz San Francisco San Joaquin San Mateo Stanislaus Tulare	104 97 104 104 104 104 104 104 97	98 93 98 98 98 98 98 98 98 98 98	91 88 91 91 91 91 91 88	84 81 84 84 84 84 84 84

Conditions:

- 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)