

Decision No. 87754 AUG 23 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of JESS'S TRUCKING, INC., for)
authority to depart from the)
minimum rates, rules and regula-)'
tions of Minimum Rate Tariff No.)
2 pursuant to the provisions of)
Section 3666 of the Public)
Utilities Code, for the trans-)
portation of glass containers)
from Oakland and Pomona to)
various destinations for the)
Brockway Glass Company.)

Application No. 57410
(Filed June 29, 1977)

OPINION AND ORDER

By this application, Jess's Trucking, Inc., a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of shipments of glass containers for the Brockway Glass Company from Oakland to Fresno, Modesto, Sacramento, Stockton and Tulare, and from Pomona to Fresno, Modesto, Stockton, and Tulare.

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

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 July 1, 1977. No objection to the granting of the application has been received.

In the circumstances, the Commission finds applicant's proposal is reasonable to the extent hereinafter indicated. The provision for the payment of seventy-five percent (75%) to Bruce A. Wilkinson, doing business as Wilkinson Trucking, as a subhauler, has been justified and will be authorized. A public hearing is

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not necessary. Applicant is placed on notice that should its operations for Brockway Glass Company be between fixed termini or over a regular route, it should apply for a highway contract carrier permit. 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. Jess's Trucking, Inc., a corporation, 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 23rd day of AUGUST, 1977.

I dissent.
William Symons, Jr.

Robert Bateman

President

Vermon L. Sturgeon

Richard D. Howell

Commissioner MAIRE T. DEDRICK
present but not voting.

Commissioners

APPENDIX A

Jess's Trucking, Inc., a corporation, is authorized to transport shipments of glass containers for Brockway Glass Company from Oakland and Pomona to the following points and subject to the following rates and conditions:

<u>To</u>	<u>Rates in Dollars and Cents</u> <u>Per 100 Pounds as Indicated</u>			
	<u>Minimum Weight</u> <u>35,000 Pounds</u>		<u>Minimum Weight</u> <u>40,000 Pounds</u>	
	<u>From</u> <u>Pomona</u>	<u>From</u> <u>Oakland</u>	<u>From</u> <u>Pomona</u>	<u>From</u> <u>Oakland</u>
Fresno	\$1.085	\$.82	\$1.010	\$.75
Modesto	1.140	.59	1.075	.55
Sacramento		.60		.55
Stockton	1.140	.59	1.075	.55
Tulare	.985	1.00	.920	.94

Conditions:

1. When Bruce A. Wilkinson, doing business as Wilkinson Trucking, Permit No. T-102,915, is requested to perform this transportation service as a subhauler, he shall be paid not less than seventy five percent (75%) of the gross revenue without any deduction for use of applicant's trailing equipment. If any other subhauler is employed, he shall be paid no less than one hundred percent (100%) of the rates authorized herein for the applicant without any deduction for use of applicant's trailing equipment.
2. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)