

ORIGINAL

Decision No. ~~87913~~ OCT 4 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of J.I.M. CORPORATION, a Cali- )  
fornia corporation, for an Order )  
authorizing applicant to deviate )  
from certain minimum rates on )  
shipments transported for Ball )  
Corporation, pursuant to Section )  
3666 of the Public Utilities Code.)

Application No. 57363  
(Filed June 3, 1977)

OPINION AND ORDER

By this application, J.I.M. Corporation requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with transportation of glassware for Ball Corporation to points within 50 miles of El Monte.

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 June 7, 1977. California Trucking Association opposed the ex parte consideration of the application stating applicant has supplied only "lump sum figures" with no indication that such figures are related to the cost of performing the transportation at issue nor is provision made for local driver's pay and that there is no indication of service on Glass Transport Company. Applicant indicates it has previously transported this traffic for Ball Corporation and is familiar with the cost involved and has furnished actual costs. Applicant states that local drivers are not used in this service and that Glass Transport Company has been served with a copy of the application.

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. J.I.M. 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 4<sup>th</sup> day of OCTOBER, 1977.

Robert B. ...  
President

...  
...

Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

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

Carrier: J.I.M. Corporation

Commodities: The rates herein apply for the transportation of the following commodities on pallets and include the return of empty pallets:

- (a) Glass bottles or jars, with or without equipment, one gallon or less in capacity.
- (b) Caps, covers, discs, or tops (other than display), nested or not nested.
- (c) Rubber jar rings.
- (d) Bottle carrying cartons, cartons for caps and closures, discs or tops (other than display), and fillers for both types of said cartons including partitions and/or separators, set up or folded flat, in packages or strapped on pallets.

Territory: Between the El Monte plant of Ball Brothers Company, Inc., and points in Los Angeles and Orange Counties within 50 constructive miles of El Monte.

Rates in cents per 100 pounds

Minimum Weight in Pounds

<u>Miles</u>		<u>Minimum Weight in Pounds</u>					
<u>Over</u>	<u>Not Over</u>	<u>AQ</u>	<u>2,000</u>	<u>4,000</u>	<u>10,000</u> (See Note 2)	<u>20,000</u> (See Note 2)	<u>30,000</u> (See Note 2)
0	3	118½	76½	64	45½	33½	28
3	5	119½	78½	66½	45½	33½	28
5	10	121½	79½	67½	46½	36½	29½
10	15	121½	82½	70	48½	37½	30
15	20	122½	84	71	50	38½	30½
20	25	123½	87	72	52	40	31
25	30	124	90	73	53	41	32
30	35	124	92	75½	54½	42½	32½
35	40	125	92	76½	55½	44	34
40	45	126	96	79	58	44½	35
45	50	132	102	85	65	50½	40

APPENDIX A

Note 1--Neither split delivery service nor multiple lot shipment service will be provided on commodities listed in (a); (b) and (c) above except multiple lot shipment service will be provided on bottle carrying cartons, cartons for caps, closures, discs or tops (other than display), and fillers for both types of said cartons including partitions and or separators, set up folded flat, in packages, or strapped on pallets.

Note 2--The minimum weights subject to this note apply except as otherwise provided in connection with applicable truckload ratings in the Governing Classification, in the Exception Ratings Tariff No. 1 or in Minimum Rate Tariff No. 2.

CONDITIONS:

1. The charges assessed and herein authorized shall in no event be less in total for the vehicles used in the transportation than the charges which would apply from application of the hourly rates named below.

<u>Weight in Pounds</u>	<u>Rates in Cents Per Hour (1)</u>
250 or less-----	1384
Over 250 but not over 2,500---	1602
Over 2,500 but not over 5,000---	1632
Over 5,000 but not over 8,000---	1673
Over 8,000 but not over 12,000---	1691
Over 12,000 but not over 20,000---	1836
Over 20,000 but not over 30,000---	1926
Over 30,000-----	2113

(1) Subject to a minimum charge of one hour.

NOTE 1.--Weight in pounds is the greatest (heaviest) gross weight of the property transported by the unit of carrier's equipment at one time during a single transaction. No allowance shall be made for weight of containers.

NOTE 2.--(a) For the purposes of applying the hourly rates to said transportation, the hours shall be computed from the time that the carrier's equipment leaves the carrier's terminal at El Monte until it returns to said terminal except that no charge shall be made for the time that the equipment is held under load at carrier's terminal overnight, on Saturdays, on Sundays, and on legal holidays.

APPENDIX A

2. 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.

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

(END OF APPENDIX A)