

ORIGINAL

Decision No. 88172 NOV 29 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)  
of FLOUR TRANSPORT, INC., a )  
California corporation, for )  
authority to deviate from )  
minimum rates pursuant to )  
Section 3666 of the Public )  
Utilities Code for the trans- )  
portation of doughnut mix and )  
sugar, in bulk. )

Application No. 57448  
(Filed July 13, 1977)

OPINION AND ORDER

By this application, Flour Transport, Inc., a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of doughnut mix and sugar, in bulk, between the plant site of The Pillsbury Company at the City of Commerce and points and places in the State of California.<sup>1</sup>

Applicant states that a new movement has now developed of shipping doughnut mix to northern California with a return movement of sugar, in bulk, to the City of Commerce. Applicant proposes to make a charge of 75 cents per mile for each mile traveled plus a charge of \$50.00 per day for trailer loading time. No power unit or drivers are at the plant when the trailer is being loaded with the doughnut mix. There is no delay in loading or unloading of sugar.

<sup>1</sup> The present minimum charges and the proposed charge are as follows:

| <u>Commodity</u> | <u>From</u>      | <u>To</u>        | <u>Minimum Charge</u> | <u>Proposed Charge</u> |
|------------------|------------------|------------------|-----------------------|------------------------|
| Doughnut Mix     | City of Commerce | San Jose         | \$ 455.00             |                        |
| Sugar            | Betteravia       | City of Commerce | (1) 355.00            |                        |
|                  |                  | Total            | \$ 810.00             | \$649.25               |

(1) Deviation Rate SDD-634

Applicant asserts that the simplicity of the rate will be beneficial to both The Pillsbury Company and the applicant in that there will be a minimum of record keeping and billing.

Applicant presently transports sugar from various origins to The Pillsbury Company, City of Commerce, at less-than-minimum rates initially granted by Decision 85039 and continued by Special Deviation Docket Orders Nos. SDD-486, SDD-534 and SDD-634.

The Pillsbury Company in a letter of support of this application states:

"Flour Transport, Inc. is the only carrier that has transported bulk doughnut mix or bulk sugar for us in southern California. They also transport a large quantity of bulk flour for us daily and have been the only company we have used to move our bulk products in this area for 15 years. In other words, there will be no diversion of traffic from any other carrier."

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 15, 1977. No objection to the granting of the application has been received.

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 relief.

IT IS ORDERED that:

1. Flour Transport, 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 herein.

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 29th day of NOVEMBER, 1977.

I dissent.  
William Favours, Jr.

Robert Batimonech  
President

Yvonne L. Sturgeon  
Robert D. Gault  
Paul T. Deitch  
Commissioners

## APPENDIX A

CARRIER: FLOUR TRANSPORT, INC., a corporation

SHIPPER: The Pillsbury Company

COMMODITIES  
AND TERRITORY:

Doughnut mix, in bulk, from the plant site of The Pillsbury Company, City of Commerce, California, to points and places in the State of California; and sugar, in bulk, from points and places in the State of California, to the plant site of The Pillsbury Company, City of Commerce, California.

RATE: 75¢ per actual mile traveled, loaded and empty, whether pulling a single trailer or double trailers.

CONDITIONS:

1. Carrier shall place trailer at shipper's plant for loading of doughnut mix. An additional charge of \$50.00 shall be assessed therefor for each 24-hour period, or any part thereof. Said period shall commence with the spotting of the trailer.
2. Mileage charges shall be computed as follows: At the beginning of each trip the driver will log on his trip sheet the beginning odometer reading, and shall also log the odometer reading on his trip sheet on return to shipper's plant.
3. No additional charges will be assessed for work performed on Saturday, Sunday or holidays, or by reason of the hour of the day or night service is performed.
4. All bridge tolls incurred shall be charged to The Pillsbury Company at cost.
5. Applicant has indicated that subhaulers will not be engaged. Therefore, if subhaulers are employed, they shall be paid no less than the rate authorized herein without any deduction for use of applicant's trailing equipment.
6. In all other respects the provisions of Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)