

Decision No. 88287 DEC 20 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF	)	
LARANETA TRUCKING COMPANY, INC.	)	
FOR AUTHORITY TO DEVIATE FROM	)	
THE PROVISIONS OF MINIMUM RATE	)	Application No. 57617
TARIFF NO. 2 FOR THE TRANSPORTATION OF CANNED AND PRESERVED	)	(Filed October 11, 1977)
FOODSTUFFS FOR HEINZ U.S.A.	)	
DIVISION OF H.J. HEINZ COMPANY	)	
PURSUANT TO SECTION 3666 OF THE	)	
PUBLIC UTILITIES CODE OF THE	)	
STATE OF CALIFORNIA	)	

OPINION AND ORDER

By this application, Laraneta Trucking Company, Inc., requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of foodstuffs for H.J. Heinz Company from Stockton and Tracy to various points in California.

Applicant proposes to allow the H.J. Heinz Company a rate reduction of 5 cents per hundred pounds on shipments power-loaded by the shipper without assistance of, or expense to the carrier.

Applicant states that hand loading by the carrier usually takes 2½ to 3 hours while power loading by the shipper takes 1 hour. Applicant has submitted cost data which indicates savings in driver wages will vary from \$16.85 to \$22.46 depending on the amount of time saved by power loading. The 5 cent per one hundred pound reduction granted the shipper would result in a \$20.00 per shipment saving, based on an average shipment of 40,000 pounds.

The application was listed on the Commission's Daily Calendar of October 13, 1977. California Trucking Association opposed the ex parte handling of the application without stating any grounds for its protest. Revenue and expense data are sufficient to determine that the transportation involved may reasonably be expected to be profitable under the proposed rates.

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. Laraneta Trucking Company, 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 20<sup>th</sup> day of DECEMBER, 1977.

Robert Batminal

President

William J. Lyons

Vernon L. Sturgeon

Richard D. Gault

Commissioners

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

## APPENDIX A

Laraneta Trucking Company, Inc. is authorized to transport foodstuffs for H.J. Heinz Company from Stockton and Tracy to points in California at a rate reduction of 5 cents per hundred pounds when shipments are power loaded by the shipper without assistance of, or expense to, the carrier, subject to the following conditions:

1. The aforementioned rate reduction shall apply only to those commodities rated at the truckload ratings contained in Items 320, 320-1 and 345 of Minimum Rate Tariff 2.
2. When the elapsed time between commencement and completion of the loading of shipments exceeds 1 hour, the charges specified in Item 145 of Minimum Rate Tariff 2 shall apply.
3. 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.
4. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)