

ORIGINAL

Decision No. 88362 JAN 17 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
 of PROGRESSIVE TRANSPORTATION )  
 COMPANY, a California corpora- )  
 tion, to deviate from minimum )  
 rates pursuant to Section 3666 )  
 of the Public Utilities Code for )  
 the transportation of steel )  
 plate, coils and billets for the )  
 account of Norris Industries. )

Application No. 56557  
 (Petition for Modification of)  
 Decision No. 87592  
 (Filed November 16, 1977)

SUPPLEMENTAL OPINION AND ORDER

Decision 87592 dated July 12, 1977, in this proceeding authorized Progressive Transportation Company, a corporation, to assess less-than-minimum rates for the transportation of steel plate, coils and billets for Norris Industries from the plant of Kaiser Steel Corporation near Fontana to various points in the Los Angeles metropolitan area. Decision 87592 contained the following restriction:

- "5. In the event subhaulers are employed, they shall be paid no less than the rates herein without any deduction for use of applicant's trailing equipment, except that Fred Neims and Harding Gubrud when employed as subhaulers shall be paid no less than the following:

18¢ per 100 pounds to Vernon  
 17¢ per 100 pounds to Bell Gardens  
 19¢ per 100 pounds to Long Beach and Torrance

Payments to be based upon a minimum weight of 40,000 pounds or actual weight, whichever is greater per unit of equipment."

By Decision 87722 dated August 16, 1977, an interim order was issued suspending Decision 87592 (pending Commission's consideration concerning applicant's petition for reconsideration and rehearing of Decision 87592) and reinstating Decision 86139, as amended by Decision 86907. Decision 87722 expired on December 16, 1977.

By Decision 87856 dated September 13, 1977, the Commission denied rehearing or reconsideration of Decision 87592. This action had the effect of reinstating the provisions of Decision 87592 which is scheduled to expire on July 12, 1978.

By Petition for Modification of Decision 87592 in this proceeding, Progressive Transportation Company seeks to amend said decision by increasing the number of named subhaulers from two to nine.

The petition was listed on the Commission's Daily Calendar of November 21, 1977. No objection to the granting of the petition has been received.

Additional revenue and expense data submitted by petitioner in the form of verified statements by California Owner-Operator Line (T-113,267); Chin-Tario Machine Movers Steel Transport (T-111,511); Fontana Freight Lines (T-2,797); Guzman Trucking (T-89,276); McLeods Trucking (T-73,110); Paine Trucking (T-120,094) and Verne Tjosaas Trucking (T-106,580) are sufficient to determine that the division of revenues between Progressive Transportation Company and the seven (7) additional subhaulers listed above, for the involved transportation may reasonably be expected to be profitable for all parties concerned at the authorized rates.

In the circumstances, the Commission finds that petitioner's proposal is reasonable to the extent hereinafter indicated. A public hearing is not necessary.

IT IS ORDERED that:

1. Decision 87592 is hereby amended by substituting for Appendix A thereof Amended Appendix A which is attached hereto and by this reference made a part hereof.
2. The authority herein shall expire July 12, 1978 unless sooner cancelled, modified or extended by further order of the Commission.

A. 56557 - FBN/DDM

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 17th  
day of JANUARY, 1978.

*I dissent*  
*William S. Squire*

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President

\_\_\_\_\_  
*Leonard L. Sturgeon*  
\_\_\_\_\_  
*Robert D. Sturgeon*  
\_\_\_\_\_  
*Clair L. D. Smith*  
Commissioners

Commissioner Robert Batinovich, being  
necessarily absent, did not participate  
in the disposition of this proceeding.

Amended Appendix A  
(Supersedes Appendix A of Decision 87592)

Shipper: Shipments for the account of Norris Industries.  
Commodity: Steel plate, coils, and billets.  
Origin: Plant site of Kaiser Steel Corporation at or near Fontana, California.

RATES

<u>Destination</u>	<u>Rates in Cents Per 100 Pounds</u>
20000 South Western Avenue Torrance, California	37
7606 South Ramish Street Bell Gardens, California	30
2119 East Curry Street Long Beach, California	35 (billets) 37 (steel plate and Coils)
4890, 5215 South Boyle Avenue and 3050 Leonis Boulevard Vernon, California	30

Minimum Weight: 40,000 pounds.

Conditions:

1. Shipments to be power loaded and power unloaded at no cost to carrier.
2. All freight charges to be paid by Norris Industries.
3. Rates apply per unit of carrier's equipment.
4. In the event subhaulers are employed, they shall be paid no less than the rates herein without any deduction for use of applicant's trailing equipment, except that Fred Neims (T-25,633); Harding Gubrud (T-102,443); California Owner-Operator Line (T-113,267); Chin-Tario Machine Movers Steel Transport (T-111,511); Fontana Freight Lines (T-2,797); Guzman Trucking (T-89,276); McLeods Trucking (T-73,110);

Paine Trucking (T-120,094) and Verne Tjosaas Trucking (T-126,580) when employed as subhaulers shall be paid no less than the following:

- 18¢ per 100 pounds to Vernon.
- 17¢ per 100 pounds to Bell Gardens.
- 19¢ per 100 pounds to Long Beach and Torrance.

Payments to be based upon a minimum weight of 40,000 pounds or actual weight, whichever is greater per unit of equipment.

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

(END OF AMENDED APPENDIX A)