

ORIGINAL

Decision No. 88377 JAN 17 1978

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 Los Angeles to )  
Fresno for Pepsi-Cola Co. )

Application No. 57536

SUPPLEMENTAL OPINION AND ORDER

By Decision 88067, dated November 1, 1977, Jess's Trucking, Inc., (JTI) was granted authority to deviate from the provisions of Minimum Rate Tariff 2, in connection with the transportation of glass containers for Pepsi-Cola Co. from Oakland and Los Angeles to Fresno; and to use Bruce A. Wilkinson, doing business as Wilkinson Trucking, as a subhauler on this movement.

By Petition to Amend Decision 88067, filed November 21, 1977, JTI requests authority to use Richard Keith Pearson, doing business as Pearson Trucking, in place and stead of Bruce A. Wilkinson.

Revenue and expense data submitted by applicant indicate that the transportation involved may reasonably be expected to be profitable at 75 percent of the proposed rates for Richard Keith Pearson.

The petition was listed on the Commission's Daily Calendar of November 22, 1977. No objection to the granting of the petition 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 petition 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 JESS'S TRUCKING INC. is authorized to perform the transportation shown in amended Appendix A attached hereto and by this reference made a part hereof at not less than the rates set forth therein.

In all other respects Decision 88067, as amended, shall remain in full force and effect.

The effective date of this order is the date hereof.

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

*I dissent:*  
*William Gueros*

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President

\_\_\_\_\_  
*Norman L. Steggen*  
\_\_\_\_\_  
*Robert W. Baskin*  
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*Clair L. DeBault*  
Commissioners

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

## AMENDED APPENDIX A

(Supersedes Appendix A of Decision 88067)

Carrier: JESS'S TRUCKING, INC., a corporation

Commodity: Glass Containers

For: Pepsi-Cola Co.

To: Fresno

From:		<u>Rates in Cents per 100 Pounds</u>
Oakland		80
Los Angeles		114

Minimum  
Weight: 36,000 pounds

## Conditions:

1. Shipments shall be power loaded and power unloaded without assistance of, or expense to the carrier.
2. When Richard Keith Pearson, doing business as Pearson Trucking, T-109,577, is requested to perform this transportation service as a subhauler, he shall be paid no 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.
3. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF AMENDED APPENDIX A)