

Decision No. 88447 JAN 31 1978**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of W. S. Emerian Trucking, Inc.,)
a California corporation, for an)
order authorizing departure from)
the rates, rules and regulations)
of Minimum Rate Tariff No. 2)
pursuant to the provisions of)
Section 3666 of the Public Utili-)
ties Code, for the transportation)
of glass, flat, not bent, from)
Kingsburg, California, to de-)
scribed areas in northern and)
southern California for Guardian)
Industries Corporation.)

Application No. 57738
(Filed December 13, 1977)

OPINION AND ORDER

By this application, W. S. Emerian Trucking, Inc., requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with transportation of glass, flat, not bent for Guardian Industries Corporation from Kingsburg to the Los Angeles and San Francisco metropolitan areas.¹

Applicant cites the following special circumstances and conditions: (1) shipments are to be power loaded and unloaded without expense to the carrier; (2) anticipated volume is 7 to 8 truckloads per day; (3) the proposed movements will result in better utilization of equipment by allowing applicant to generate revenue on a round trip basis.

Revenue and expense data submitted by applicant indicate that the transportation involved may reasonably be expected to be profitable under the proposed rates even if no backhaul were considered.

¹ The present and proposed rates, in cents per 100 pounds, for the transportation of glass from Kingsburg are:

<u>To</u>	<u>Present Rates</u> <u>Minimum Weight</u> <u>40,000 pounds</u>	<u>Proposed Rates</u> <u>Minimum Weight</u> <u>50,000 pounds</u>
Los Angeles	123	68
San Francisco	118	64

The application was listed on the Commission's Daily Calendar of December 14, 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 rate relief.

IT IS ORDERED that:

1. W. S. Emerian Trucking, 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 Diego, California, this 31st
day of JANUARY, 1978.

Robert Bateman
President
William S. Jones, Jr.
Hubert D. Howell
Clair J. Deibel
Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

Carrier: W. S. Emerian Trucking, Inc.

Commodity: Glass, flat, not bent, not exceeding 15 feet
in length or 9 feet in width.

For: Guardian Industries Corporation

From: Kingsburg

Rates in Cents per 100 Pounds

To: Metropolitan Zones 101-135

64

Metropolitan Zones 201-262

68

Minimum Weight: 50,000 pounds

Conditions:

1. Shipments shall be power loaded and power unloaded without assistance of, or expense to the carrier.
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)