

**ORIGINAL**Decision No. 88482 FEB 7 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Stevens Transporta- )  
tion, Inc., doing business as Com- )  
mercial Transport, a California )  
Corporation, for authority under )  
Section 3666 of the Public Utili- )  
ties Code of the State of Califor- )  
nia to deviate from the minimum )  
rates for the transportation of )  
cotton balls, bandages, and gauze, )  
in packages, for Colgate Palmolive )  
Company. )

Application No. 56915

SUPPLEMENTAL OPINION AND ORDER

By Decision 87588, dated July 12, 1977, Stevens Transporta-  
tion, Inc., doing business as Commercial Transport, was granted authority  
to deviate from the provisions of Minimum Rate Tariff 2 in connection  
with the transportation of cotton balls, bandages and gauze in packages  
in mixed truckload shipments from Kendall Corporation, Merced, to  
Colgate-Palmolive Company, Berkeley and to use K.E. Clark, Larry  
Frantizich, Steve Kelsoe, Wes Rudolf and Dave Ruxton as subhaulers on  
this movement.

By Petition for Modification of Decision 87588, filed Novem-  
ber 25, 1977 and by amendment thereto filed January 4, 1978, appli-  
cant requests authority to add J.S. Schneider (T-117,360); J.W. Marker  
(T-118,949); R. J. Simpson (T-116,750); Herman W. Brause (T-116,628);  
Larry Woodruff (T-106,066); Larry Furgeson (T-119,621); Calvin Franklin  
(T-114,413); S.J. Schneider (T-116,750) to the existing subhaulers  
authorized by Decision 87588.

The petition and amendment were listed on the Commission's  
Daily Calendar of November 29, 1977 and January 10, 1978 respectively.  
California Trucking Association (CTA) objected to the ex parte handling  
of this matter stating that applicant has not furnished revenue/expense  
and cost statements either for himself or for the several owner opera-  
tors previously approved by Decision 87588. CTA contends that this  
information is required for filing renewals for authority under Section  
3666 to show that the transportation involved has been profitable

during the previous year. CTA points out that applicant has failed to provide copies of its latest balance sheet and income statement.

Applicant has furnished cost data for the 8 additional sub-haulers which it intends to engage and to include in the present deviation authority. Initially, it failed to provide copies of the balance sheet and income statement as pointed out by CTA but it has now complied with this requirement. At this time applicant is not required to submit cost data and financial statement to show that the deviation authority granted by Decision 87588 has been profitable because this application is not considered a filing for renewal of the previous deviation. The said application merely requests authority to amend Decision 87588 by adding 8 subhaulers to the existing 5 subhaulers.

Revenue and expense data submitted by applicant are sufficient to determine that the transportation involved may reasonably be expected to be profitable for the 8 additional subhaulers at the remuneration of \$1.10 per actual mile operated.

In the circumstances, the Commission finds that applicant's proposal is reasonable to the extent hereinafter indicated. 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. Stevens Transportation, Inc., doing business as Commercial Transport is authorized to perform the transportation shown in amended Appendix A attached hereto and made a part hereof at not less than the rates set forth herein.

A. 56915 - gjw

2. In all other respects Decision 87588, 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 7th day of FEBRUARY, 1978.

*I dissent.*  
*William S. Grouse, Jr.*

*Robert B. Reinisch*  
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President

*Seamus L. Sturgeon*  
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*Richard W. Hoyle*  
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*Pauline T. DeBrial*  
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Commissioners

AMENDED APPENDIX A  
(Supersedes Appendix A of Decision 85788)

Stevens Transportation, Inc., doing business as Commercial Transport is authorized to transport cotton balls, bandages and gauze in packages at \$1.95 per 100 pounds, based on a minimum weight of 10,000 pounds per shipment for Colgate-Palmolive Company from Merced to Berkeley subject to the following conditions:

1. Applicant has indicated that subhaulers will be engaged. If K. E. Clark (T-108,894); Larry Frantzich (T-105,954); Steve Kelsoe (T-113,552); Wes Rudolf (T-82,351); Dave Ruxton (T-115,151); J. S. Schneider (T-117,360); J. W. Marker (T-118,949); R. J. Simpson (T-116,750); H. W. Brause (T-116,628); Larry Woodruff (T-106,066); Larry Furgeson (T-119,621); Calvin Franklin (T-114,413) and S. J. Schneider (T-114,455) are employed as subhaulers, they shall be paid no less than \$1.10 per actual mile operated. If any other subhaulers are employed, they shall be paid no less than the rates authorized herein without any deduction for use of applicant's trailing equipment.
2. In all other respects, the rates and rules set forth in Minimum Rate Tariff 2 shall apply.

(END OF AMENDED APPENDIX A)