

ORIGINAL

Decision No. 88727 APR 18 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of M.A.P. TRANSPORTATION, INC.,)
& California corporation,)
for an Order authorizing Applicant)
to Deviate from certain Minimum)
Rates on shipments of glass, or no)
pursuant to Section 3666 of the)
Public Utilities Code.)

Application No. 56837
(Filed October 29, 1976;
amended March 3, 1977)

Murchison & Davis, by Fred H. Mackensen,
for applicant.
Gerald K. Trant, for California Trucking
Association, interested party.
Geoffrey W. Meloche, for the Commission
staff.

OPINION

Applicant holds radial highway common carrier and highway contract carrier permits. It requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of glass, flat, not bent, for Libbey-Owens-Ford Company from Lathrop and for P.P.G. Industries, Inc. from Fresno to points in the Los Angeles Basin Territory.

By interim order in Decision No. 87391 dated May 24, 1977 the relief sought was granted on an interim basis pending hearing. Public hearing was held before Administrative Law Judge O'Leary on January 17 and 19, 1978 at Los Angeles. The matter was submitted on the latter date.

Applicant specializes in the transportation of glass and has specialized equipment for such transportation. Approximately 25 percent of applicant's business is the transportation for which it here seeks a deviation.

The president of applicant testified that prior to filing the instant application two competing carriers, namely Marino Bros. Trucking Co. (Marino) and American Transfer Co. (American), were granted authority to assess less than the minimum rates for the traffic involved herein. As a result of such authorities, applicant lost traffic it had previously enjoyed. Upon receiving the interim authority in Decision No. 87391, applicant was able to recover the traffic it had previously lost to Marino and American. Review of Commission records confirms the testimony. Additionally, West Transportation, Inc. (West) has applied for similar authority in Application No. 57100. By Decision No. 88720 dated today the authority sought by West was granted subject to an expiration date of April 30, 1979.

Revenue and expense data submitted by applicant (Exhibit 5) disclose that the transportation at the proposed rates is compensatory.

Findings

1. The relief sought by applicant is similar to authorities presently held by Marino, American, and West.
2. Applicant specializes in the transportation of glass and has specialized equipment to perform the transportation.
3. Transportation at the proposed rates will be compensatory.
4. The proposed rates have been shown to be reasonable.
5. If the sought authority is granted, applicant states it will not utilize subhaulers.

Conclusions

1. Application No. 56837 should be granted.
2. Since transportation conditions may change, the authority should be made to expire after one year unless sooner canceled, modified, or extended by the Commission.

ORDER

IT IS ORDERED that the expiration date set forth in Ordering Paragraph 2 of Decision No. 87391 is hereby extended to one year after the effective date of this order.

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 18th day of APRIL, 1978.

Robert Batminal
President
William Ayres Jr
Verion L. Sturgeon
Clair J. Debris
Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.