

Decision No. 88739 APR 18 1978**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)

ROY JAMESON & SON, a corporation,)
 authorizing the transportation of)
 reinforced concrete pipe from Napa,)
 California to points within 150)
 miles thereof for CENTRAL STATES)
 CONCRETE PIPE CO. at rates less)
 than those prescribed in Minimum)
 Rate Tariff No. 2 pursuant to the)
 provisions of Section 3666 of the)
 Public Utilities Code.)

Application No. 57863
 (Filed February 10, 1978)

OPINION AND ORDER

By this application Roy Jameson & Son (Jameson), a California corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of reinforced concrete pipe for Central States Concrete Pipe Co. (Central States) from Napa to points within 150 constructive miles thereof.¹

Applicant states it has handled the involved commodity for the involved shipper only when shipments cannot be transported by the shipper in its own equipment.

Applicant asserts that the shipper has indicated to it that the number of shipments of the involved commodity will increase in volume this year because of increased customer demand. Applicant has the equipment to perform the services as required by the shipper.

¹ The present minimum and proposed rates in cents per 100 pounds for representative shipments of reinforced concrete pipe from Napa are:

<u>Constructive Miles</u>	<u>Present Rates Minimum Weight 40,000 Pounds</u>	<u>Proposed Rates Minimum Weight 50,000 Pounds</u>
0 - 50	37	26
51 - 100	48	32
101 - 150	56	42

Applicant further states that Central States has advised it that shipper will divert most of the shipments from shipper's own equipment upon the granting of the less than minimum rate authority by the Commission and the shipper states that it will dispose of most of its concrete pipe hauling equipment in the event of the granting of this application.

Applicant contends (1) this pipe is shipped to various types of construction projects from Napa in lengths, generally, of three to six feet, in circumferences of up to sixty inches. (2) Such shipments are tendered when the shipper's equipment is fully utilized. (3) The shipments are loaded by the shipper's forklift and unloaded either by the carrier or the consignee's forklift. (4) The loads weigh at least fifty thousand pounds and each unit of applicant's equipment can transport such loads.

Jameson alleges that it will obtain a minimum of 1,800 loads per year; and that many of the loads are consigned to large projects such as parking lots and subdivisions requiring numerous loads.

According to applicant because of the short distances involved between origin and destinations backhauls are not required in order to render the operations profitable at the proposed rates. Upon analysis of applicant's costs the Commission finds this statement to be true and correct.

The application was listed on the Commission's Daily Calendar of February 14, 1978. 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. Roy Jameson & Son, a corporation, 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 rating 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 Francisco, California, this 19th day
of APRIL 1, 1978.

Robert Batimuel
President

William Aguirre Jr.

Vernon L. Sturgeon

Philip J. Delius
Commissioners

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

APPENDIX A

Carrier: Roy Jameson & Son, a corporation
Shipper: Central States Concrete Co.
Commodity: Reinforced concrete pipe
From: Napa
To: Points within 150 constructive miles of Napa
Minimum Weight: 50,000 pounds

<u>Rates:</u>	<u>CONSTRUCTIVE MILES</u>		<u>IN CENTS PER 100 POUNDS</u>
	<u>OVER</u>	<u>BUT NOT OVER</u>	
	0	50	26
	50	100	32
	100	150	42

Conditions:

1. Shipments are to be power loaded by shipper's forklift and power unloaded either by the carrier's or consignee's forklift.
2. Applicant has not indicated that subhaulers will be engaged. 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. Mileage to be computed as provided in the governing Distance Table.
4. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)