

ORIGINAL

Decision No. 88905 MAY 31 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )	
of: DEATH VALLEY TRUCKING, INC., )	
a California corporation, for )	
authority to deviate from Minimum )	Application No. 57972
Rate Tariff 7-A for the transpor- )	(Filed April 5, 1978)
tation of clay and talc for the )	
account of Cyprus Industrial )	
Minerals Company, pursuant to )	
Section 3666 of the California )	
Public Utilities Code. )	

INTERIM OPINION AND ORDER

By this application, Death Valley Trucking, Inc., (Death Valley), a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 7-A in connection with the transportation of clay and talc for Cyprus Industrial Minerals Company by not assessing additional charges for Saturday, Sunday or holiday service.

Applicant states it is a successor to V.B. Morgan Co. (Morgan) having an application before the Commission seeking authority to purchase the dump truck permit now held by Morgan. Applicant further states it has another application before the Commission requesting a highway contract carrier permit. According to the Commission's records, Death Valley has been authorized dump truck carrier and highway contract carrier permits.

Morgan was authorized by Decision 87291, to deviate from the provisions of Minimum Rate Tariff 7-A in connection with the transportation of clay and talc for Cyprus Mineral Company. By this application Death Valley seeks to continue the identical authority.

The application was listed on the Commission's Daily Calendar of April 7, 1978. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that applicant's proposal is reasonable on an interim basis. Applicant should submit actual cost and revenue data for the first six months of operation, within nine months of the effective date of this order. 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. Death Valley Trucking, Inc., 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 rates set forth therein.

2. Death Valley Trucking, Inc. shall submit revenue and cost data for the first six months of operations under the above authority. Such data shall be submitted to the Commission within nine months of the effective date of this order.

3. The authority granted herein shall expire one year after the effective date of this order unless sooner canceled, 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 31st day  
of MAY, 1978.

Robert Batwinich  
President  
William Sweeney Jr.  
Vernon L. Stegeman  
Richard P. Hoyle

Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

Carrier: Death Valley Trucking, Inc. a corporation.

Shipper: Cyprus Industrial Minerals Company.

Commodities: Clay and talc, in bulk.

Origin: Panamint Mine located in Death Valley.

Destinations: Dunn Siding, California and the plant site of Cyprus Industrial Minerals Company located at 2143 Bay Street, Los Angeles.

Rates: The provisions of Minimum Rate Tariff 7-A shall be applicable except the additional charges for service performed on Saturdays, Sundays and holidays, Item 260, MRT 7-A, shall not be applicable.

Condition: If subhaulers are employed, they shall be paid not less than 95 percent of the authorized rate.

(END OF APPENDIX A)