

Decision No. 89031 JUN 27 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of MELVIN A. DEAILLE,)
dba, DEAILLE TRUCKING, for autho-)
rity to deviate from minimum rates))
for the transportation of Chicoite))
for the account of Excel Mineral)
Co.)

Application No. 57891

SUPPLEMENTAL OPINION AND ORDER

Decision 88686 dated April 4, 1978, in this proceeding authorized Melvin A. Deaile, dba Deaile Trucking, to assess a less-than-minimum rate for the transportation of chicaoite from Excel Mineral Co., Taft and McKittrick to the San Francisco Territory.

Deaile Trucking has informed this Commission by letter that inadvertently through the recent increase in the surcharge applied to the less-than-minimum rate no savings resulted to the shipper. Deaile Trucking has requested that the surcharge be established at 14 percent for this traffic.

In the circumstances, the Commission finds that the necessary corrections should be made by the order herein. A public hearing is not necessary. The Commission concludes that Decision 88686 should be amended accordingly and the effective date of this order should be the date hereof because there is compelling need to rectify this matter.

IT IS ORDERED that Decision 88686 is hereby amended by substituting for Appendix A thereof Amended Appendix A which is attached hereto and by this reference made a part hereof.

In all other respects, Decision 88686 shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 27th
day of JUNE, 1978.

I dissent.
William Symons Jr

President

Vernon L. Sturgeon

Richard D. Guala

Clare T. Delia
Commissioners

Commissioner Robert Batimovich, being
necessarily absent, did not participate
in the disposition of this proceeding.

AMENDED APPENDIX A

Commodity: Chicoite as described in Item 48115, National Motor Freight Classification 100-D.

Shipper: Excel Mineral Company.

From: Taft and McKittrick.

To: San Francisco Territory as described in Item 270-3 of Minimum Rate Tariff 2.

Rate: 65 cents per 100 pounds plus a 14 percent surcharge.

Minimum Weight: 48,000 pounds per unit of carrier's equipment.

Conditions:

1. Loaded by shipper.
2. Two hours will be allowed for loading and three hours for unloading. The charges for excess loading time will be as provided in Item 145 of Minimum Rate Tariff 2 for each additional one-half hour.
3. Split deliveries, not exceeding three, may be made with charges to be assessed as provided in Item 173 of Minimum Rate Tariff 2.
4. Any costs accrued for service provided during unloading operations shall be paid for by the shipper (Excel Mineral Co.).
5. In all other respects the rates and rules in Minimum Rate Tariff 2 shall apply.
6. 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.

(END OF AMENDED APPENDIX A)