

Decision No. 89155 JUL 25 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of Dart Transportation Service, )  
a California corporation, for )  
authority to depart from the )  
minimum rates, rules and regu- )  
lations of Minimum Rate Tariff 2, )  
pursuant to the provisions of )  
Section 3666 of the Public Utili- )  
ties Code for the transportation )  
for The American Can Co. )

Application No. 58073  
(Filed May 16, 1978)

OPINION AND ORDER

By this application, Dart Transportation, a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of pulpboard boxes and trays<sup>1</sup> between Modesto and Metropolitan Los Angeles Area for the American Can Co.

Applicant is seeking to offset its empty returns from its northbound truckload traffic. Applicant has for sometime been performing this southbound truckload traffic for American Can. Applicant knows of no motor carrier adversely affected by this application.

Applicant has submitted cost data supporting the reasonableness and profitability of the proposed rates. Applicant has also submitted subhauler costs which adequately detail a profitable return to the subhaulers based on receipt of 72 percent of the gross revenue per shipment.

The application was listed on the Commission's Daily Calendar of May 18, 1978. No objection to the granting of the application has been received.

1 Boxes, pulpboard on paper, without wooden frames KDF combined or not combined with cellulose film, foil or plastic film, other than corrugated per Item 29280, NMFC 100-E. Class 35 @ 36,000 pounds.  
Trays, NOI, paper pulpboard, folded flat or nested, per Item 152940, NMFC 100-E. Class 35 @ 36,00 pounds.  
Trays, pulpboard, lined with foil, folded flat or nested per Item 152960, NMFC 100-E. Class 55 @ 24,000 pounds.

Applicant proposes: Class 35.3 minimum weight 45,000 pounds.

In the circumstances, the Commission finds that the 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. Dart Transportation Service 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. 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 25<sup>th</sup> day of JULY, 1978.

*Robert Buttrick*

President

*William J. ...*

*Vernon L. ...*

*Charles D. ...*

*Clare T. ...*

Commissioners

CARRIER: Dart Transportation Service

SHIPPER: The American Can Co.

ORIGIN: Modesto

DESTINATIONS: Points and places in the Metropolitan  
Los Angeles Area

COMMODITIES: (a) Boxes, pulpboard on paper, without wooden  
frames KDF combined or not combined with  
cellulose film, foil or plastic film, other  
than corrugated per Item 29280 NMFC\* 100-E.

(b) Trays, NOI, paper pulpboard, folded flat  
or nested, per Item 152940, NMFC\* 100-E.

(c) Trays, pulpboard, lined with foil, folded  
flat or nested per Item 152960, NMFC\* 100-E.

RATING: Subject to the provisions of Notes 1 through 5.

Class 35.3 minimum weight 45,000 pounds.

NOTE 1: The minimum charge for each unit of carrier  
equipment utilized will be 45,000 pounds at  
the applicable rate per one hundred pounds.

\*National Motor Freight Classification

NOTE 2: Rates are predicated on the shipper tendering the entire consignment within one (1) calendar day.

NOTE 3: Rates will not apply on merchandise requiring temperature control.

NOTE 4: Except as provided in Notes 1 through 3 hereof, the provisions of Minimum Rate Tariff 2 shall apply.

NOTE 5: The following named subhaulers shall receive 72 percent of the gross revenue per shipment:

T-61,070 - R B Corporation, dba Commercial Transfer

T-74,798 - Facchino Freight Lines

T-72,177 - Sandestin Trucking Co.

T-120,268- Sho-Len, Inc., dba Pacific Transportation

T-119,814- Transport Motor Service

If applicant employs subhaulers other than those named above, they shall be paid no less than the rates authorized herein without any deduction for use of applicant's trailing equipment.

(END OF APPENDIX A)