

ORIGINAL

Decision No. S9217 AUG 8 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of LARRY G. MAUGER, an individual)
for authority to deviate from the)
provisions of Minimum Rate Tariff)
18 for the transportation of)
trailer coaches from and to points)
within the State, pursuant to the)
provisions of Section 3666 of the)
Public Utilities Code.)

Application No. 58024
(Filed April 24, 1978)

INTERIM OPINION AND ORDER

By this application, Larry G. Mauger, an individual, requests authority to deviate from the provisions of Minimum Rate Tariff 18 in connection with the transportation of trailer coaches not over eight feet four inches in width, nor over 40 feet in length, from and to various points within the State of California.

The application was listed on the Commission's Daily Calendar of April 25, 1978. The California Trucking Association and the Highway Carriers Association filed late protests. Neither protest was filed in accordance with the Commission's Rules of Practice and Procedure for the filing of protests (Rule 42.2).

California Trucking Association's protest alleged that the applicant's costs were not costs in a traditional projected estimated results of operation fashion. The staff, upon review of supplemental data provided by the applicant, finds the proposed transportation to be compensatory. The initial problem with the applicant's cost justification and allocation resulted from the fact that the trucking operation is combined with other business activities (gas station and grocery store). The protest filed by the Highway Carrier Association did not question the applicant's costs, rather it was a generic dissertation that did not pertain to the applicant's proposed operations.

The applicant in soliciting transportation accounts has found a volume movement of mobile homes within the manufacturing and trade sector of the industry which presently is handled predominately by proprietary equipment. In order to attract this traffic, the applicant has constructed rates which will be reasonable, profitable and attractive to offset the proprietary operations.

Cost data prepared by the applicant in this application commingled the accounts with costs accruing to other business pursuits conducted by the applicant. Supplemental data separating these accounts were submitted by the carrier entity May 18, 1978. The additional data supported the applicant's contention that operations under the deviated rate being sought would be profitable. Further, the applicant alleges that the traffic being sought is desirable and profitable and is in sufficient volume to allow more efficient low-cost operations than were recognized in the establishment of Minimum Rate Tariff 18; for example, the applicant will use smaller and less expensive equipment than was considered in MRT 18 cost studies.

In the circumstances, the Commission finds that petitioner's proposal is reasonable and that sufficient evidence exists to grant the requested authority. However, we will direct the development of revenue and cost data based on the actual operations, so the applicant will develop more complete results of operations data. A public hearing is not necessary. The Commission finds that the proposed operations will be compensatory and concludes that the petition 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 relief.

IT IS ORDERED that:

1. Larry G. Mauger, an individual, is authorized to perform the transportation shown in Appendix A attached hereto at not less than the rates set forth therein.

2. Larry G. Mauger 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.

2. Larry G. Mauger 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 after 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 8th day of AUGUST, 1978.

Robert B. ...
President

Young L. ...
Charles P. ...

Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

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

APPENDIX A

Carrier: Larry G. Mauger, an individual.

Commodity: Single unit trailer coaches not over 8 feet
4 inches in width, nor over 40 feet in length.

Scope: From and to various points within the State
of California.

Rates:

NEW TRAILERS

0 to 48 miles	\$25.00
48 miles to -----	.53 per mile

USED TRAILERS

0 to 48 miles	\$30.00
48 miles to -----	.63 per mile

Subject to the following conditions:

1. Rates apply to (a) shipments when either point of origin or destination is: (1) a place of manufacture or a manufacturer's storage facility; (2) an established place of business of a trailer coach dealer, as defined in Section 320 of the Vehicle Code of the State of California, or a trailer coach dealer's storage facility, and the bill of lading or other shipping document contains certification by the consignor or consignee that the trailer coach is for sale, exchange, lease or rent; and (3) a trailer coach show, or (b) transportation of all special purpose trailers.
2. Mileage to be used shall be the shortest resulting mileage via any public highway route, computed in accordance with the methods provided in Distance Table 8.
3. 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 without any deductions.
4. In all other respects the rates and rules in Minimum Rate Tariff 18 shall apply.

(END OF APPENDIX A)