

ORIGINAL

Decision No. S922S AUG 6 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
tion for the purpose of consid-)
ering and determining minimum)
rates for transportation of any)
and all commodities statewide,)
including, but not limited to)
those rates which are provided)
in Minimum Rate Tariff 2 and the)
revisions or reissues thereof.)

Case No. 5432
Petition For Modification
No. 1027
(Filed June 20, 1978)

James W. R.
OPINION AND ORDER

By this petition, Big Pine Trucking Company, Inc., requests authority to continue to publish less-than-minimum rates for the transportation of clay and related articles from Laws, Keeler and Olancha to points within a defined Los Angeles area and also Orange County. Petitioner also seeks to amend the current authority by cancelling the rates on alfalfa pellets from Cottonwood Canyon Ranch, near Benton, to points in the Los Angeles area and Orange County. The current rates expired August 1, 1978.¹

The petitioner seeks to increase the rates from 50 and 52 cents to 55 and 57 cents, respectively, for shipments from Keeler and Laws and Olancha to points in the Los Angeles area. Comparable increases are also being sought for shipments from the same points of origin to points in Orange County.

Upon analysis of the revenue and expense data submitted by petitioner it cannot be determined that the transportation involved will not be profitable under the rates presently in effect.²

¹The rates are currently published in Items 4545 and 4546, Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15.

²The petitioner does not set forth any justification for the sought rate increases, as set forth in the appendix of the petition.

The petitioner alleges that the published rates applicable on alfalfa pellets from Cottonwood Canyon Ranch, near Benton, are no longer needed. The petitioner further states that the mill site in Benton "... is no longer in need of Big Pine's services...." The petition was mailed to California Trucking Association and other interested parties on or about June 19, 1978. The petition was listed on the Commission's Daily Calendar of June 21, 1978. No objection to the granting of the petition has been received.

In the circumstances, the Commission finds that:

1. The needs of commerce and the public interest require that the present rates on clay and related articles from Laws, Keeler and Olancha to the Los Angeles area and Orange County be continued in effect.
2. The published rates on alfalfa pellets from Cottonwood Canyon Ranch, near Benton, to the Los Angeles area and Orange County should be allowed to expire with August 1, 1978. Increases, resulting from the expiration of these rates, are found to be justified.
3. The proposed rates as submitted by the petitioner are found not to be reasonable and justified by current transportation conditions. The Commission concludes that the petition should be granted as it pertains to the services sought, but the rates as sought by the petitioner, and as listed in the petitioner's appendix, are denied, and the rates as presently published shall remain in full force and effect, and the effective date of this order should be the date hereof because there is an immediate need for this rate relief. A public hearing is not necessary.

IT IS ORDERED that:

1. Big Pine Trucking, Inc., is hereby authorized to publish and file, to expire with August 1, 1979, rates for the transportation of clay and related articles, as set forth, and subject to the conditions specified, in Appendix A attached hereto and by this reference made a part hereof. Rates to be published are those currently in effect, and as authorized by Decision 87575, in Case 5432, Petition for Modification 979.

2. The published rates on alfalfa pellets from Cottonwood Canyon Ranch, near Benton, to the Los Angeles area and Orange County are hereby authorized to be cancelled.

3. Tariff filings shall be made effective on not less than one day's notice to the Commission and to the public.

4. Big Pine Trucking Company, Inc., is authorized to depart from the provisions of Section 461.5 of the Public Utilities Code in establishing and maintaining the rates authorized herein. Schedules containing the rates published under this authority shall make reference to this order.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 8th
day of AUGUST, 1978.

Robert B. Brown
President

Vernon L. Sturgeon
Charles P. Hoyle

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
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Authorized Rates and Rules
Applicable Thereto

Application of Rates - Commodities

The rates herein set forth apply for the transportation of the following commodities when packed in bags and palletized:

Clay	Soapstone
Pyrophyllite	Talc
Silt (Soil)	Sand, including Silica Sand
Barytes	

Rates in Cents per 100 Pounds

<u>From</u>	<u>To</u>	<u>Rates</u>	<u>Minimum Weight in Pounds Per Shipment</u>
Keeler	Points within the Los Angeles	#50 ø52	40,000
Laws	Area as described below and	#50 ø52	40,000
Olancha	points intermediate thereto.	#50 ø52	40,000

Keeler	(#55 ø57	40,000
Laws	(Points in Orange County.	#55 ø57	40,000
Olancha	(#55 ø57	40,000

#Applicable only when shipment is loaded into carrier's equipment by the consignor, and when shipment is unloaded without expense to carrier by consignee with power equipment, provided that the shipping document indicates that the shipment was loaded by consignor and is to be unloaded by consignee under conditions described in this reference. Consignee shall certify unloading in accordance with instructions.

øApplicable only when shipment is loaded into carrier's equipment by the consignor, and when shipment is unloaded by consignee with the physical assistance of a single carrier employee (either driver or helper, subject to Note) by use of power equipment furnished by the consignee without expense to the carrier, provided the shipping document indicates that the shipment was loaded by consignor and is to be unloaded by consignee under circumstances outlined in this reference. Consignee shall certify unloading in accordance with instructions.

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Note: The physical assistance to be provided by the single carrier employee shall be restricted to work within, on, or immediately adjacent to the carrier's equipment.

Los Angeles Area: The Los Angeles Area, as so designated in connection with the rates set forth above, shall include Los Angeles and ten (10) miles thereof, including Long Beach.

Shipments transported subject to the rates herein specified shall not be accorded privileges of split pickup or of split delivery.

Charges for transportation under the rates herein specified shall be assessed on gross weight of the shipment. No allowance shall be made for the weight of the bags and/or pallets.

(END OF APPENDIX A)