

Decision No. 89551

OCT 17 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
of FLOWERS TRANSPORTATION, INC.,)
a California corporation, for)
authority to deviate from minimum)
rates for the transportation of)
LUMBER and FOREST PRODUCTS AND)
WOOD PRODUCTS, for AMERICAN FOREST)
PRODUCTS CORPORATION, Shipper,)
pursuant to Section 3666 of the)
Public Utilities Code.)

Application No. 58099
Petition for Modification of
Decision No. 89220
(Filed September 11, 1978)

SUPPLEMENTAL OPINION AND ORDER

By Decision 89220, Flowers Transportation, Inc. (Flowers) was granted authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of green lumber from Johnsondale to Fresno and, also, lumber, forest products and wood products from Fresno to Los Angeles for American Forest Corporation. The transportation from Johnsondale to Fresno was made contingent upon the use of a routing from Johnsondale to Quaking Aspen which is not provided for in Distance Table 8.

By this petition, Flowers seeks to have the routing restriction removed in order to provide greater flexibility.

The petition was listed on the Commission's Daily Calendar of September 15, 1978. California Trucking Association, by letter dated September 18, 1978, objected to amending the order stating the petition was "totally deficient failing even to identify the continuous highway". Petitioner has responded by specifying the additional routing planned which has substantially the same transportation characteristics as the routing granted by Decision 89220.¹

¹The proposed routing is 149 constructive miles while the routing authorized by Decision 89220 is 159 constructive miles.

In the circumstances, the Commission finds that petitioner's proposal of an additional routing is reasonable. A public hearing is not necessary. The Commission 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 rate relief.

IT IS ORDERED that:

1. Decision 89220 is amended by substituting for Appendix A thereof Amended Appendix A which is attached hereto and by this reference made a part hereof.

2. In all other respects, Decision 89220, as amended, shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 17th day of OCTOBER, 1978.

President
William J. Lyons Jr.

Vernon L. Steiger

Richard D. Good

Clair J. DeLoach
Commissioners

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

AMENDED APPENDIX A

Carrier: Flowers Transportation, Inc.
Shipper: American Forest Products Corporation
Commodities: (a) Green lumber from Johnsondale to Fresno.

Rate: \$250.00 per truckload (applies only when routing is from Johnsondale via Quaking Aspen or California Hot Springs).

(b) Lumber and forest products described in Item 685 of Minimum Rate Tariff 2.

From: Fresno to Los Angeles Basin Territory.

Rate: 55 cents per 100 pounds, minimum weight 50,000 pounds.

Conditions:

1. Shipments shall be power loaded by consignor and power unloaded by consignee.
2. Applicant has indicated that subhaulers will not be engaged. Therefore, if subhaulers are employed, they shall be paid no less than the rate authorized herein without any deduction for use of applicant's trailing equipment.
3. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF AMENDED APPENDIX A)