

HEC/HK/FS

Decision No. 89606 OCT 31 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of George Kishida,)
Inc., a California Corporation,)
for authority to depart from the)
rates, rules and regulations of) Application No. 57935
Minimum Rate Tariff 7 pursuant to) (Filed March 17, 1978)
the provisions of Section 3666 of) (Petitions for Modification
the Public Utilities Code, for) of Decision 88837
the transportation of silica sand) Filed July 11 and September 18, 1978)
from Ione, California, to Kings-)
burg, California for Guardian)
Industries Corporation.)

SECOND SUPPLEMENTAL OPINION AND ORDER

Decision 88837 dated May 16, 1978, in this proceeding authorized George Kishida, Inc., a California corporation, to assess a rate less than the minimum rate for the transportation of silica sand between Ione and Kingsburg for the account of Guardian Industries Corporation.

By the Petitions for Modification of Decision 88837, shown above, George Kishida, Inc. seeks to amend said decision to include Chattin B. Soule' (T-124,278) as an additional named subhauler to participate in the transportation for Guardian Industries Corporation.

The petitioner has submitted revenue and cost projections for the individual subhauler. The data has been developed from the records of the prior holder of the operating authority and the owner/operator of the equipment detailed to be used in the transportation under the deviated rates. The data is sufficient to determine that the division of revenue between George Kishida, Inc. and Chattin B. Soule' may reasonably be expected to be mutually profitable at the authorized rate.

The petitions were listed on the Commission's Daily Calendars of July 19, and September 20, 1978. Petitioner has adequately responded to the California Trucking Association's questions regarding the submission of financial data dated prior to the owner/operator's receipt of his operating authority.

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In the circumstances, the Commission finds that petitioner's proposal is reasonable. A public hearing is not necessary. The Commission concludes that the petition should be granted 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 88837, as amended, is further amended by substituting for Appendix A and Amended Appendix A thereof Second Amended Appendix A which is attached hereto and by this reference made a part hereof.

2. In all other respects, Decision 88837, 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 31st day
of OCTOBER, 1978.

Robert Bateman
President

William Lyons

George L. Sturgeon

Clayton D. Howell

Gene T. Smith
Commissioners

SECOND AMENDED APPENDIX A

George Kishida, Inc., a corporation, is authorized to transport silica sand from Ione to Kingsburg for Guardian Industries Corporation at a rate of \$7.00 per ton minimum weight 55,000 pounds (27½ tons) subject to the following conditions:

1. Applicant has indicated that subhaulers will be engaged. If the following subhaulers are employed they shall be paid the rate authorized herein computed in accordance with the provisions set forth in Items 126 and 210 of Minimum Rate Tariff 7-A:

T-97,007	A. Berchtold	T-118,685	Eugene Quarton
T-97,574	Ken Cossins	T-82,318	Louis Rivera
T-115,253	Frank Costa	T-93,636	Mickey Shirakawa
T-54,012	Ramon Gonzalez	T-119,697	J. Utz
T-117,674	Ramon Gonzalez Jr.	T-93,905	J. Van Zant
T-110,604	Gary Grimes	T-81,692	Bill Yamada
T-93,627	D. Hieb	T-93,641	Jim Yamauchi
T-93,629	F. Kaida	T-112,362	Adrin Polk
T-93,630	Tom Kiriu	T-123,428	Walter C. Webb
T-93,642	Wesley Lawce	T-123,308	John C. Boggs
T-94,417	Gene Pate dba L&E	T-123,427	Jerry M. Silva
	Transportation	T-124,178	Chattin B. Soule'

2. If any other subhaulers are employed, they shall be paid not 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 set forth in Minimum Rate Tariff 7-A shall apply.

(END OF APPENDIX A)