

Decision No. 89694 NOV 28 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Harry Virgin, doing )  
business as Harry Virgin Trucking )  
Company, for authority to depart )  
from the minimum rates, rules and )  
regulations of MRT 2, pursuant to )  
the provisions of Section 3666 of )  
the Public Utilities Code, for the )  
account of Robert Mondavi & Sons. )

Application No. 58432  
(Filed October 24, 1978)  
(Amended October 31, 1978)

OPINION AND ORDER

By this application, Harry Virgin, doing business as Harry Virgin Trucking Company, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with transportation to be performed for the account of Robert Mondavi & Sons.

The application is based upon special conditions and circumstances, including: full truck load round trip movements; loading and unloading by the shipper without carrier assistance; and, cost reductions achieved through maximum equipment utilization.

The application and amendment were listed on the Commission's Daily Calendars of October 25 and November 1, 1978. No objection to the granting of the application, as amended, has been received.

Revenue and expense data submitted by the applicant indicate that the transportation involved may reasonably be expected to be profitable under the proposed rates.

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. Because there is an immediate need for this rate relief, the effective date of this order should be the date hereof.

IT IS ORDERED that:

1. Harry Virgin, doing business as Harry Virgin Trucking Company, 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 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 28<sup>th</sup> day  
of NOVEMBER, 1978.

Robert Bateman

President

William J. Lyons, Jr.

Richard D. Gault

Clair T. DeBred

Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

## APPENDIX A

Carrier: Harry Virgin, doing business as  
Harry Virgin Trucking Company

Shipper: Robert Mondavi & Sons, Acampo

Commodities: 1) Glass bottles, carboys, demijohns or jars,  
other than cut, with or without their equipment  
of caps, covers, stoppers or tops, one gallon  
or less in capacity.

2) Full cases of wine.

		<u>Rates in cents per hundred pounds</u>
Rates:	1) Glass containers - Hayward to Acampo	67
	2) Wine in cases - Acampo to Union City	67

## Minimum Weights:

- 1) Glass containers - 35,000 pounds per unit of  
carrier's equipment
- 2) Wine in cases - 45,000 pounds per unit of  
carrier's equipment

## 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 not less than the rates 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 APPENDIX A)