

ORIGINAL

Decision No. 89932 ; JAN 30 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Shane Industries, Inc., a)
California corporation, for)
authority to deviate from mini-)
mum rates for the transportation)
of HARDWARE, NOI, IRON OR STEEL)
and PLASTIC ARTICLES, NOI, for)
AMERICAN SAFETY EQUIPMENT CORPO-)
RATION, Shipper, pursuant to)
Section 3666 of the Public)
Utilities Code.)

Application No. 58471
(Filed November 15, 1978)

OPINION AND ORDER

By this application Shane Industries, Inc. (Shane), seeks authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of Hardware, NOI, Iron or Steel and Plastic Articles, NOI, from Pacoima to Fresno for American Safety Equipment Corporation.¹

¹ The present and proposed rates in cents per 100 pounds for representative shipments are:

<u>From</u>	<u>To</u>	<u>Present Rates</u>	<u>Proposed Rates</u>
Pacoima	Fresno	(1) 169	(1) 150
		(2) 137	(2) 110
		(3) 114*	(3) 90
		(4) 95**	(4) 80

Minimum Weight

- (1) 20,000 pounds
- (2) 30,000 pounds
- (3) 40,000 pounds
- (4) 50,000 pounds

* Volume Incentive Services

** Truckload Efficiency

Applicant is now, and has been, serving the shipper since the shipper commenced manufacturing in Fresno in 1967. During that time applicant has transported an average of 5,200,000 pounds a year from shipper's facility in Pacoima to Fresno. The cost and revenue figures to substantiate this request are based upon the experience gained in these prior movements. Additional savings would accrue to both shipper and carrier through more efficient scheduling of personnel and equipment.

Applicant cites the following special circumstances:

(1) empty trailers are spotted at shipper's facility and shipper prepares and loads all shipments without assistance from applicant's employees; (2) all shipments are palletized and banded; (3) the plants at origin and destination allow applicant 24-hour access to their facilities; and (4) pickup and delivery requires less than one-half hour at each point thereby reducing further the applicant's cost in handling these movements.

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

The application was listed on the Commission's Daily Calendar of November 20, 1978. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that 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, 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. Shane Industries, Inc. 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.

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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 30th day of JANUARY, 1979.

Richard W. Gural
President

James L. Stearns

Alan T. DeBuck

_____ Commissioners

Commissioner John E. Bryson

Present but not participating.

Commissioner Leonard M. Grimes, Jr.

Present but not participating.

APPENDIX A

CARRIER: Shane Industries, Inc.
 SHIPPER: American Safety Equipment Corporation
 COMMODITY: Hardware, NOI, Iron or Steel (95190) and Plastic
 Articles, NOI, (15660) as described in the National
 Motor Freight Classification (NMF)100-E
 ORIGIN: Pacoima (MZ 203)
 DESTINATION: Fresno
 RATES: In Cents Per 100 Pounds

Minimum Weight
20,000 Pounds

150

Minimum Weight
30,000 Pounds

110

Minimum Weight
40,000 Pounds

90

Minimum Weight
50,000 Pounds

80

Conditions:

1. The carrier's empty trailers shall be spotted at shipper's facility and loaded trailers shall be picked up at the same time.
2. Palletized and banded loads shall be loaded by consignor without the assistance of carrier's personnel or at any expense to the carrier.
3. Carrier shall spot trailers for unloading by consignee and then later they shall be picked up by the carrier.
4. 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.

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APPENDIX A

5. Except as otherwise provided herein, the rules and rates of Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)