

HEC/FS

Decision No. 89941 JAN 30 1979

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of American Transfer )  
Co., a California corporation, )  
for authority to deviate from the )  
rates, rules and regulations of )  
Minimum Rate Tariff No. 2, pur- )  
suant to the Provisions of )  
Section 3666 of The Public Utili- )  
ties Code, for the transportation )  
of glass, flat, not bent, for )  
Guardian Industries Corp. from )  
Sunmaid Siding near Kingsburg, to )  
points in the Reedley, Clovis and )  
Fresno extended area. )

Application No. 58519  
(Filed December 11, 1978)

OPINION AND ORDER

By this application, American Transfer Co., a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 (MRT 2) for the transportation of flat glass, not bent, for the account of Guardian Industries Corporation to points in Reedley, Clovis and within the extended area of Fresno from Sunmaid Siding near Kingsburg.<sup>1</sup>

<sup>1</sup>The present and proposed rates, in cents per 100 pounds, for the transportation of glass from Kingsburg are:

To:	Present Rates* Minimum Weight 50,000 pounds	Proposed Rates Minimum Weight 50,000 pounds
Clovis	29½	18
Reedley	32	18
Fresno	32	18

\*MRT 2, Item 898 - Volume Incentive Service - Freight Not Otherwise Specified

Applicant is presently authorized to deviate from minimum rates on similar transportation from Fresno, Lathrop and Kingsburg to various points in the San Francisco Bay Area and Los Angeles Basin Territory. This added traffic would be local (within 25-30 miles of carrier's terminal). Applicant states, "Guardian Industries will power load ... consignees will unload with power equipment with no expense to applicant". Transportation will be performed on a regular basis Monday through Friday with an anticipated volume of two (2) loads per day.

Applicant specializes in the transportation of glass and has specialized equipment for such transportation. The shipper's projected volume of two (2) loads per day should allow the carrier to experience reduced terminal costs through the improved utilization of terminal equipment and employees in revenue service.

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 in the Commission's Daily Calendar of December 13, 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:

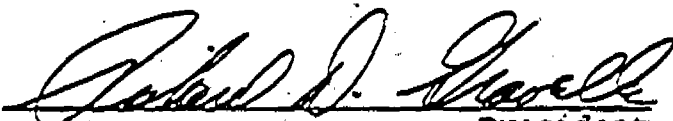
1. American Transfer Co., a corporation, is authorized to perform the transportation shown in Appendix A, attached hereto and by this reference made a part hereof, at not less than the rates set forth therein.


A. 58519 - FS


2. The authority granted herein shall expire one year after the effective date of this order unless sooner cancelled, 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 30 day of JANUARY, 1979.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_

  
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Commissioners

Commissioner John E. Bryson  
present but not participating.

Commissioner Leonard M. Grimes Jr.  
present but not participating.

## APPENDIX A

Carrier: American Transfer Co.  
Shipper: Guardian Industries Corporation  
Commodity: Glass, flat, not bent.  
Origin: Sunmaid Siding near Kingsburg.  
Destinations: Reedley, Clovis and Fresno Extended Area.  
Rates: 18 cents per hundred pounds.  
Minimum  
Weight: 50,000 pounds per unit of carrier's equipment.

## Conditions:

1. Guardian Industries Corp. will spot the trailer to be loaded and call when the trailer is loaded and ready for delivery.
2. Consignee will unload the trailer with power equipment at no expense to the carrier.
3. Freight charges shall be prepaid.
4. Shipper shall release the carrier from any responsibility for concealed damage claims or damage to product; unless, carrier is actually involved in an incident in which the shipper's loading process was not a contributory factor. At no time is carrier to be liable for more than 50 cents per pound or one-half ( $\frac{1}{2}$ ) of actual value, whichever is less.
5. The provisions of this deviation do not apply in connection with split delivery shipments.
6. The provisions of this deviation apply only when the shipper tenders the carrier a minimum of two (2) loads per shipping/receiving working day.
7. Applicant has not indicated that subhaulers will be engaged nor have any costs of subhaulers been submitted. Therefore, if subhaulers are employed, they shall be paid not less than the rate authorized herein without any deduction for use of applicant's trailing equipment.
8. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)