

HEC/FS

Decision No. 90035 : FEB 27 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of:)

Keeney Truck Lines, Inc., a Cali-)
fornia corporation, for authority)
to deviate from minimum rates)
pursuant to Section 3666 of the)
Public Utilities Code for the)
account of Yoplait USA, Inc.)

Application No. 58591
(Filed January 9, 1979)

OPINION AND ORDER

By this application, Keeney Truck Lines, Inc., a California corporation, seeks to deviate from the provisions of Minimum Rate Tariff 15 (MRT 15) in connection with the transportation of general commodities, within a radius in excess of 250 miles of Carson, for the account of Yoplait USA, Inc., Carson.

Applicant is presently performing transportation services for Yoplait USA, Inc. utilizing MRT 15 rates and rules. The extension beyond the 250 miles radius limitation in the tariff will create greater flexibility in expediting the shipper's operations.

A cost study was not submitted. The request if granted will not cause any additional costs beyond those contemplated in the application of MRT 15. Applicant proposes to assess the shipper an additional \$25.00, which amount is the exact sum applicant is required to pay the driver for a lay-over away from his terminal (subsistence).

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

The application was listed on the Commission's Daily Calendar of January 12, 1979. 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. Keeney Truck Lines, 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.

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 27th day
of FEBRUARY, 1979.

John E. Byrne
President
Wesley L. Sturgeon
Richard A. Howell
Clair T. Doolittle
Edward M. Smith
Commissioners

APPENDIX A

KEENEY TRUCK LINES, INC.
(A California Corporation)

Shipper: Yoplait USA, Inc.

Base of Operations: Carson, MZ 247

Territory: Radius in excess of 250 air miles from base of operations.

Commodities: General Commodities.

Authorized Rates: Hourly, weekly, monthly or yearly vehicle unit rates as set forth in Minimum Rate Tariff 15.

Conditions:

1. There will be a charge of \$25.00 for subsistence each night a driver is required to lay over away from his base terminal, with no other charges for the first fourteen off-duty hours. Regular charges will resume when the driver begins work or after fourteen off-duty hours have elapsed, whichever occurs first.
2. 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 no 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 15 shall apply.

(END OF APPENDIX A)