

Decision No. 90249 APR 24 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Francis O. Dodd, )  
dba Hydra Trucking Company, for )  
authority to transport paper and )  
related products from American Can )  
Co., Union City, California to all )  
points in Northern California )  
within a 150 mile radius. )

Application No. 58706  
(Filed February 27, 1979)

OPINION AND ORDER

By this application, Francis O. Dodd, doing business as Hydra Trucking Company, seeks authority to deviate from the provisions of Minimum Rate Tariff 2 for the transportation of paper and related products for American Can Company within a radius of 150 air miles of Union City.

Applicant seeks relief from a portion of Paragraph 3, Item 90 of the Mixed Shipments rule, as follows:

"When two or more commodities are included in the same shipment and separate weights thereof are furnished or obtained, charges will be computed at the separate rates applicable to such commodities in straight shipments of the combined weight of the mixed shipment. ..."

All of the movement transported by applicant for American Can consists of mixed shipments. Commodities in the mixture vary in their National Motor Freight Classification class ratings from 55 to 300. Applicant has conducted a three-month study of the American Can traffic flow. The applicant has compared the revenue data on the overall mixed shipments to a single factor class rating. This comparison disclosed that if the shipments had been rated using a class rating between 65 and 70 the same revenue would have been achieved.

Applicant's proposal is to use a Class 70 rating on the total traffic transported for American Can Company. The use of a single class factor for rating and billing will facilitate the preparation of bills of lading and freight bills. Applicant's equipment is almost exclusively devoted to American Can shipments (95% of the total traffic). The applicant avoids transporting traffic from other shippers in equipment being utilized for American Can.

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

The application was listed on the Commission's Daily Calendar of March 1, 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. The adoption of the Class 70 rating for billing purposes will result in increases which are within the President's wage/price guidelines.

IT IS ORDERED that:

1. Francis O. Dodd, an individual doing business as Hydra Trucking Company, is authorized to perform the transportation shown in Appendix A attached hereto and by this reference made a part thereof 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.

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The effective date of this order is the date hereof.

Dated at San Francisco, California, this 24<sup>th</sup> day  
of APRIL, 1979.

John E. Byrne  
President  
Thomas L. Shannon  
Richard D. Gault  
Clare J. ...  
Edward M. ...  
Commissioners

APPENDIX A

Carrier: Francis O. Dodd, doing business as Hydra Trucking Company

Shipper: American Can Company, Union City

Commodity: Paper and related products

Rating: Class 70 for all commodities described in Appendix A of Application 58706

Scope: Within 150 air miles of Union City

Shipment Weights: Any Quantity, 5,000, 10,000 and 20,000 pounds

Conditions:

1. 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.
2. In all other respects, the rates and rules of Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)