

DC/FS

Decision No. 90523 JUL 3 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of)

MONTCLIFF TRUCKING CO.)

Application No. 58833
(Filed May 1, 1979)

for authority to depart from the)
minimum rates, rules and regu-)
lations of Minimum Rate Tariff 2,)
pursuant to the provisions of)
Section 3666 of the Public)
Utilities Code, for transporta-)
tion for THE CLOROX COMPANY.)

OPINION AND ORDER

By this application, Montcliff Trucking Co., seeks authority to deviate from the provisions of Minimum Rate Tariff 2 when transporting merchandise of the Clorox Company to points within 160 miles of Vernon.^{1/}

Applicant states that instead of hand loading shipments at the Clorox plants, movements are palletized and expeditiously power loaded by a special loading system which has been installed at a substantial expense. Loading under the deviation is performed by Clorox and the unloading of palletized deliveries by consignees.

^{1/} The present minimum rates, excluding surcharges, and the proposed rates for representative shipments in cents per 100 pounds are:

Miles	Minimum Rates		Proposed Rates		
	Freight Not Otherwise Specified, Minimum Weight 50,000 lbs.	Minimum Rates	Minimum Weights		
			30,000 lbs.	40,000 lbs.	45,000 lbs.
30-35	34		39.8	34.6	30.9
80-90	44		57.1	48.2	45.6
130-140	54		66.8	57.1	50.6

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The empty pallets returning are loaded and unloaded through utilization of forklift trucks or other power loaded devices. If damaged merchandise is returned, the carrier is not liable for the damages incurred. Clorox is able to save considerable time and expense under the outstanding authorizations by shipping its merchandise at a single charge, thereby avoiding the need to classify and rate all of the different items constituting the individual movements. The involved carriers enjoy a similar saving and convenience through avoidance of the need to classify and rate the various commodities transported.

The proposed rates and conditions are identical to those contained in the authorization granted to Tony's Express, Inc. (SDD-803). Tony's Express has been served a copy of the proposal.

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 May 2, 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. Montcliff Trucking Co. 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 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 3rd day of JULY, 1979.

John E. Byron
President

Carroll L. Stegman

Richard D. Howell

Clare J. Diederich

Donald H. King
Commissioners

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APPENDIX A

Carrier: Montcliff Trucking Co.

Shipper: The Clorox Company

Commodities: Merchandise of the Clorox Company and its Kingsford Company subsidiary which is distributed from their Vernon, California, plants.

Rates: (In cents per 100 pounds)

For transportation otherwise subject to Minimum Rate Tariff 2 (see Notes).

Section A - These rates apply when power loaded and power unloaded:

<u>Miles</u>		<u>Minimum Weight</u> <u>30,000 lbs.</u>	<u>Minimum Weight</u> <u>40,000 lbs.</u>	<u>Minimum Weight</u> <u>45,000 lbs.</u>
<u>Over</u>	<u>Not Over</u>	<u>Rate</u>	<u>Rate</u>	<u>Rate</u>
0	3	29.6	26.5	26.5
3	5	30.9	28.3	26.5
5	10	31.8	29.6	28.3
10	15	34.6	29.6	29.6
15	20	37.0	30.9	29.6
20	25	37.0	30.9	29.6
25	30	38.4	33.3	30.9
30	35	39.8	34.6	30.9
35	40	45.6	37.0	33.3
40	45	46.8	37.0	34.6
45	50	48.2	38.4	37.0
50	60	50.6	43.8	37.0
60	70	54.3	45.6	38.4
70	80	54.3	46.8	43.8
80	90	57.1	48.2	45.6
90	100	58.2	49.4	46.8
100	110	62.9	50.6	46.8
110	120	62.9	54.3	48.2
120	130	65.4	54.3	49.4
130	140	66.8	57.1	50.6
140	150	70.5	58.2	54.3
150	160	72.9	61.1	54.3

APPENDIX A

Section B - These rates apply when power loaded but not power unloaded:

<u>Miles</u>		<u>Minimum Weight 30,000 lbs.</u>	<u>Minimum Weight 40,000 lbs.</u>	<u>Minimum Weight 45,000 lbs.</u>
<u>Over</u>	<u>Not Over</u>	<u>Rate</u>	<u>Rate</u>	<u>Rate</u>
0	.3	35.4	32.9	32.9
3	5	36.7	34.1	32.9
5	10	38.0	35.4	34.1
10	15	40.4	35.4	35.4
15	20	42.8	36.7	35.4
20	25	42.8	36.7	35.4
25	30	45.3	39.4	36.7
30	35	46.5	40.4	36.7
35	40	51.4	42.8	39.4
40	45	52.6	42.8	40.4
45	50	54.0	45.3	42.8
50	60	56.5	50.2	42.8
60	70	60.1	51.4	45.3
70	80	60.1	52.6	50.2
80	90	63.8	54.0	51.4
90	100	65.0	55.3	52.6
100	110	68.7	56.5	52.6
110	120	68.7	60.1	54.0
120	130	71.2	60.1	55.3
130	140	72.6	63.8	56.5
140	150	76.3	65.0	60.1
150	160	78.7	67.5	60.1

APPENDIX A

Notes:

Mileage to be computed as provided in governing Distance Table. Rates are subject to the provisions of Items 170, 171, 172, and 173 (Split Delivery) of Minimum Rate Tariff 2.

Section A rates apply when shipments are power loaded and power unloaded by the shipper and consignee; Section B rates apply when shipments are power loaded but not power unloaded; necessary equipment to be furnished and used without expense to the carrier. If loading or unloading time exceeds one hour, charges named in Item 145 of Minimum Rate Tariff 2 will apply.

Pallets will be returned free, provided that a like number of pallets are returned at the time of delivery. Shipments of pallets not complying with this paragraph will be subject to the rates in the applicable tariff.

Upon return of damaged merchandise, carrier is to be free from any claim for damage.

Rates to apply to shipments originating at the plants of The Clorox Company and Kingsford Company located at Vernon, California, and destined to points within 160 miles thereof, as indicated in the above mileage bracket column.

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.

(END OF APPENDIX A)