

Decision No. 90531 JUL 3 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Petition for modification of )  
 Decision No. 90031 of George )  
 Kishida, Inc., a California )  
 corporation, for authority to )  
 depart from the rates, rules, )  
 and regulations of MRT 2 pur- )  
 suant to the provisions of )  
 Section 3666 of the Public )  
 Utilities Code, for the trans- )  
 portation of ground silica sand )  
 from Johns-Manville, Stockton, )  
 California, to Johns-Manville, )  
 Pittsburg, California. )

Application No. 58900  
(Filed May 30, 1979)

OPINION AND ORDER

By this application, George Kishida, Inc., a California corporation, requests a modification of Decision 90031, dated February 27, 1979, in Application 58533. This decision authorized applicant to depart from the provisions of Minimum Rate Tariff 2 in connection with the transportation of ground silica sand for Johns-Manville from Stockton to Pittsburg.<sup>1/</sup>

Application 58533 detailed a two-way loaded movement of the same piece of equipment for the Johns-Manville account. Decision 90031 established a minimum weight of 55,000 pounds (27½ tons) per unit of equipment for the movement from Stockton to Pittsburg. The applicant has found that the loading characteristics of this commodity which is finely ground consumes additional loading time to achieve the minimum weight required. Applicant seeks to reduce this minimum weight by 2,000 pounds (1 ton).

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<sup>1/</sup> The unloading and elevation of the ground silica sand at Pittsburg is accomplished by the use of pneumatic equipment supplied by the consignee. This usage of pneumatic equipment excludes the subject transportation from MRT 7-A.

The resultant reduction in revenue (\$3.50 per trip) will be offset by time-savings gained: 1) Carrier's equipment at a minimum weight of 55,000 is close to its legal load-carrying capacity. Presently, "overloads" are being experienced with this commodity which have to be lightened prior to traveling over the public highway. 2) The reduction of 2,000 pounds in minimum weight will save 5-10 minutes in actual loading time allowing faster transit times.

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

The application was listed on the Commission's Daily Calendar of May 31, 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 weight relief.

IT IS ORDERED that:

1. George Kishida, Inc., 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.

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.

A. 58900 - FS

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 3rd day  
of JULY, 1979.

John E. Bayne  
President

William P. Sturgeon

Richard W. Howell

Clare T. Edwards

Leonard W. Quinn  
Commissioners

## APPENDIX A

George Kishida, Inc., a corporation, is authorized to transport ground silica sand from Stockton to Pittsburg for Johns-Manville at a rate of \$3.50 per ton subject to a minimum weight of 53,000 pounds (26½ tons) subject to the following conditions:

1. Applicant has submitted cost data for subhaulers who will be engaged in the traffic. If the following subhaulers are employed they shall be paid the rate authorized herein computed in accordance with the provisions set forth in Items 126 and 210 of Minimum Rate Tariff 7-A.

T-110,604	Gary Grimes	T- 93,636	Mickey Shirakawa
T- 97,007	Albert Berchtold	T- 93,641	Jim Yamauchi
T-123,308	John C. Boggs	T- 93,642	Wesley Lawce
T- 54,012	Ramon Gonzalez	T- 81,692	Bill Yamada
T- 94,417	Gene Pate	T-122,362	Adrian Polk
T- 82,318	Louis J. Rivera	T- 97,574	Kenneth Cossins
T-123,427	Jerry M. Silva	T-117,674	Ramon B. Gonzalez, Jr.
T- 93,627	Donald Hieb	T-124,178	Chatin B. Soule
T-123,428	Walter C. Webb	T-118,685	Eugene Quarton
T- 93,630	Tom Kirui	T-119,697	Joe Utz
T- 93,629	Fred H. Kaida		

2. If any other subhaulers are employed, they shall be paid not less than the rates authorized herein without any deduction for use of applicant's trailing equipment.

3. The rate authorized herein shall not apply unless the carrier's unit of equipment utilized in the above transportation is tendered a movement from Byron to Stockton for each movement from Stockton to Pittsburg.

4. In all other respects, the rates and rules set forth in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)