

DC/FS

Decision No. 90563

JUL 17 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MAGNUM FREIGHT LINES, INC., for)
authority to deviate from certain)
minimum rates pursuant to Section)
3666 of the California Public)
Utilities Code for transportation)
performed for VONS GROCERY COMPANY)
and THRIFTMART, INC.)

Application No. 58875
(Filed May 18, 1979)

OPINION AND ORDER

By this application, Magnum Freight Lines, Inc. requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with transportation of sugar, in packages, from Crockett to El Monte and Vernon for Vons Grocery Company and Thriftmart, Inc. by assessing 72 percent of the minimum rate.

Applicant cites the following special circumstances:

- (1) Shipments are to be palletized and loaded and unloaded by forklift by the consignee and consignor
- (2) 30 loads per month, 48,000 pounds minimum weight, are expected
- (3) Applicant has between 40 to 50 northbound shipments per month, so the combined northbound and southbound movements will result in better utilization of equipment and conserve fuel.

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 21, 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

A. 58875 - FS

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. Magnum Freight 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 17th day of JULY, 1979.

John E. Boyer
President

Thomas L. Stinson

Charles D. Koval

Clair T. DeBrie

Donald C. Smith
Commissioners

APPENDIX A

Magnum Freight Lines, Inc., is authorized to transport sugar, in packages, as described in Item 740 of Minimum Rate Tariff 2, from the facilities of C & H Sugar Co., located at Crockett, California, to the facilities of: (1) Vons Grocery Co. located at El Monte, California, and (2) Thriftimart, Inc., located at Vernon, California, at not less than the following rates:

72% of the minimum rate set forth in Item 740, but not less than 98¢ per hundred pounds, at a minimum weight of 48,000 pounds.

Conditions:

1. Shipments above shall apply to single truckload shipments only.
2. Shipments shall be loaded by shipper and unloaded by consignee without assistance of, or expense to, the carrier.
3. 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.
4. All applicable surcharges shall apply.
5. In all other respects, the rates and rules of Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)