

JUL 31 1979

Decision No. 90625**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Richard L. Cullins, dba Pio-)
neer Freight Lines, for an order)
authorizing departure from the)
rates, rules and regulations of)
Minimum Rate Tariff No. 2 pur-)
suant to the provisions of Sec-)
tion 3666 of the Public Utilities)
Code, for the transportation of)
glass, flat, not bent, from)
Kingsburg, California, to de-)
scribed areas in northern Cali-)
fornia for Guardian Industries)
Corporation.)

Application No. 58810
(Filed April 19, 1979)
(First Amendment Filed May 21, 1979)
(Second Amendment Filed June 14, 1979)

OPINION AND ORDER

By this application, as amended, Richard L. Cullins, doing business as Pioneer Freight Lines (Pioneer), requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of glass for Guardian Industries Corporation (Guardian) from Kingsburg to Sacramento and points in the North Sacramento Extended Area.^{1/}

^{1/} The present minimum rates and the proposed rates in cents per 100 pounds for representative 50,000 pound shipments of glass, flat, not bent, are:

<u>From</u>	<u>To</u>	<u>Present (a) Rates</u>	<u>Proposed Rates</u>
Kingsburg	Sacramento	63¢	50¢
Kingsburg	North Sacramento Extended Area	65¢	50¢

(a) Rates do not include current surcharge of 9½%, applicable to the total charges assessed.

Presently applicant transports truckload shipments of concrete roofing tile daily from French Camp, near Stockton, southbound to Merced, Fresno and Bakersfield. Pioneer is domiciled and based in Fresno. According to the carrier, the equipment currently operates empty northbound to pick up the truckload shipments of tile at French Camp. Under the proposal, Pioneer will be tendered a minimum of 18 truckload shipments of glass per month from Guardian which, in turn, will tend to balance the carrier's operations in both directions, resulting in better utilization of equipment and the conservation of 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 and amendments were listed on the Commission's Daily Calendar of April 20, 1979, May 31, 1979, and June 15, 1979, respectively. No objection to the granting of the application, as amended, has been received.

In the circumstances, the Commission finds that applicant's proposal, as amended, 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. Richard L. Cullins, dba Pioneer Freight Lines, 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 canceled, modified or extended by further order of this Commission.

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The effective date of this order is the date hereof.

Dated at San Francisco, California, this 31st day
of JULY, 1979.

John E. Bayon
President

Thomas L. Sturgeon

Robert D. Garske

Clayton J. Delich

Ronald J. Jensen
Commissioners

APPENDIX A

Richard L. Cullins, doing business as Pioneer Freight Lines, is authorized to transport glass, flat, not bent, not exceeding 15 feet in length nor 9 feet in width, as described in Item 86730 of the National Motor Freight Classification 100-F, for Guardian Industries Corporation from Kingsburg to Sacramento and points in the North Sacramento Extended Area, at the rate of 50 cents per hundred pounds, minimum weight of 50,000 pounds per shipment, subject to the following conditions:

Conditions:

1. Transportation shall be performed for Guardian Industries Corporation on a regular weekly, Monday through Friday, basis with no less than eighteen shipments tendered per month.
2. The shipments are to be loaded by the shipper and unloaded by the consignee without assistance of, or expense to, the carrier.
3. 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.
4. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)