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Decision No. 90960 OCT 23 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Randy Freitas,)
individual, for authority under)
Section 3666 of the Public)
Utilities Code of the State of)
California to depart from the)
minimum rates for a shuttle)
service between Sacramento and)
Atwater, California, for)
COUNTRY PRIDE.)

Application No. 59091
(Filed August 23, 1979)

OPINION AND ORDER

By this application, Randy Freitas requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of loaded trailers of bakery goods from Sacramento to Atwater and the return of empty trailers from Atwater to Sacramento for Country Pride Foods Ltd.^{1/}

Applicant cites the following special circumstances:

(1) The shipper provides the trailers (2) there is no loading or unloading involved (3) there is no rating of the shipments and billing is simplified (4) Country Pride Foods Ltd. has been performing this transportation itself; and (5) the transportation is fuel efficient since there are no deadhead miles involved.

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 August 27, 1979. No objection to the granting of the application has been received.

^{1/} Applicant proposes a \$160 charge for this transportation. The present charges, excluding applicable surcharges, for this transportation are: (1) a 50,000 pound shipment of bakery goods, including supplying the trailer, loading and unloading = \$245, (2) return of an empty trailer = \$218.

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 the order should be the date hereof because there is an immediate need for this rate relief.

IT IS ORDERED that:

1. Randy Freitas 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 shall be the date hereof.

Dated OCT 23 1979, at San Francisco, California.

Commissioner JOHN E. BRYSON

President

Present but not participating:

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioners

APPENDIX A

Randy Freitas is authorized to transport the loaded trailers of Country Pride Foods Ltd., from Sacramento to Atwater and return empty trailers from Atwater to Sacramento at a charge of \$160.

Conditions:

1. Carrier is limited to hitching and unhitching trailers. Shipper shall spot the loaded and empty trailers.
2. If subhaulers are employed, they shall be paid no less than the charge authorized herein.
3. In all other respects, the rates and rules of Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)