

Decision No. 91292 JAN 29 1980**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Fibreboard)
 Corporation (doing business as)
 Container Transport Company) for)
 authority under Section 3666 of)
 the Public Utilities Code of the)
 State of California to deviate)
 from the rates published in Mini-)
 mum Rate Tariff No. 2 for the)
 transportation of pulpboard,)
 corrugated for Champion Inter-)
 national Corporation from its)
 plant in San Jose to its plant in)
 San Leandro.)

Application No. 59293
 (Filed November 21, 1979)

OPINION AND ORDER

By this application Fibreboard Corporation dba Container Transport Company (Container) seeks authority to deviate from the provisions of Minimum Rate Tariff 2 by assessing a charge of \$125 per load for the transportation of pulpboard from San Jose to San Leandro for Champion International Corporation (Champion).

Applicant states that Champion has acquired the San Jose plant from the applicant Fibreboard Corporation of which Container is a division. Applicant asserts that prior to the acquisition Container provided the transportation as a private truck operation but the service by Container is now being performed as a for-hire carrier.

Applicant alleges that the transportation is performed as part of the total transportation service being performed by Container for the San Jose plant of Champion. According to applicant, empty equipment is spotted for shipper loading upon arrival at the plant from a prior load, loading is performed by plant personnel without presence of carrier's employee, carrier is notified of availability to loads, and carrier plans and transports the loads in a manner which will result in the most efficient dispatching and operation of its trucking equipment.

Applicant contends that the movement to the San Leandro plant of Champion is a regular "shuttle" operation of three to four loads a day, with prompt consignee unloading with power equipment or from a trailer spotted for unloading without presence of carrier's employee. Applicant further contends that this shuttle movement can be handled by drivers who otherwise would have free time between loads or to fill out a full-day's time.

Applicant indicates that the transportation involves three to four loads a day, with anticipated minimum revenue of \$97,500 a year, based on 780 loads at \$125 each.

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 November 22, 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:

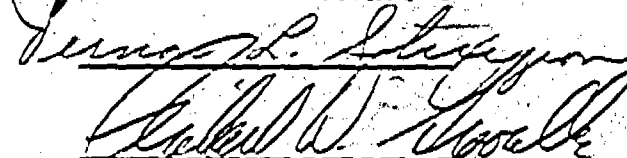
1. Fibreboard Corporation doing business as Container Transport Company is authorized to perform the transportation shown in Appendix A attached hereto and by this reference made a part hereof at not less than the rates set forth therein.

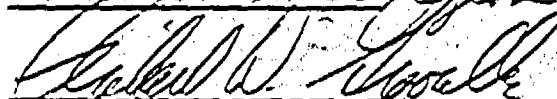
2. The authority granted herein shall expire one year after the effective date of this order unless sooner cancelled, modified or extended by further order of the Commission.

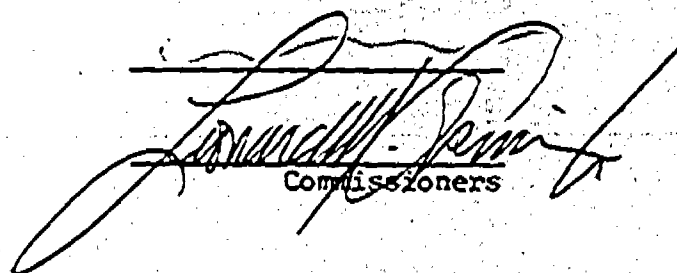
The effective date of this order is the date hereof.

Dated JAN 20 1966, at San Francisco, California.


President


Commissioner


Commissioner


Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

Fibreboard Corporation doing business as Container Transport Company is authorized to transport Pulpboard, NOI, corrugated (NMF 100-F, Item 151310, Sub. 1) and Boxes, Pulpboard, NOI, without wooden frames, corrugated (NMF 100-F, Item 29275) from San Jose (MZ124) to San Leandro (MZ113) for Champion International Corporation.

RATE: \$125, Per load

CONDITIONS:

1. Applicable on straight or mixed shipments of the commodities described herein.
2. Applicable only when freight is palletized or unitized, loaded by consignee and unloaded by consignor at no cost to the carrier.
3. An allowance of one-half hour free time for loading by consignor and one-half hour free time for unloading by consignee shall be made for each load computed at origin from the time of carrier's employee is available to transport load until load is released to the driver by the consignees; and at destination, from the time of arrival of carrier's driver with the load until unloading is completed or when trailer is spotted for unloading by consignee without the presence of the carrier's employee.

Any delay in excess of such free time will be charged for at the rate of \$25 per hour, minimum 1/2 hour, except that no charge will be made for trailers left for shipper loading or consignee unloading without the presence of carrier's employee.

4. Applicant has indicated that subhaulers will not be engaged and no costs for subhaulers have 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.
5. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)