

Decision No. 91343 FEB 13 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Simon Flores, Inc.)
DBA UNION TRANSPORT SYSTEM for)
authority to charge less than)
minimum rates, for Norris)
Industries, Plumbing Fixture)
Division, as authorized in Section)
3666 of the Public Utilities Code)
of the State of California.)

Application No. 59388
(Filed January 17, 1980)

OPINION AND ORDER

By this application, Simon Flores, Inc., doing business as Union Transport Systems (Union), requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of mixed shipments of steel bathtubs; earthenware water closet bowls, hoppers and tanks; sinks and lavatories for Norris Industries, Plumbing Fixtures Division, from City of Industry to various destinations.¹

Applicant cites the following special circumstances and conditions:

1. Shipper will provide regularly scheduled shipments throughout the calendar year.
2. Shipper will provide an on-site satellite terminal/office to include telephone service. This will facilitate the dispatching and monitoring of all shipments.

¹The minimum rates and the proposed rates in cents per 100 pounds for representative mixed shipments of the aforementioned commodities are as follows:

<u>From</u>	<u>To</u>	<u>Present Rates Minimum Weight 30,000 Pounds</u>	<u>Proposed Rates Minimum Weight 40,000 Pounds</u>
City of Industry	San Diego	124	88
City of Industry	San Jose	210	145

3. Shipper will provide parking facilities for nine sets of 27-foot double trailers and converter gears.
4. Shipper will provide 24-hour security for the protection of said equipment.
5. Shipper will provide rating service from an independent rating bureau for all shipments.
6. Shipper will allow for the flexible scheduling of shipments to the northern part of the state in order to conveniently schedule return hauls to southern California.
7. Shipper has increased production of earthenware/porcelain tanks and bowls which have an average truckload weight of 39,000 to 45,000 lbs.
8. Carrier is providing uniform, special lightweight 27-foot high cube aluminum wedge vans with swing out doors which will allow shipper maximum cube to load legal maximum weight.
9. Shipments to be power loaded by shipper and power unloaded by consignee without assistance of carrier personnel.

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 January 21, 1980. 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. Simon Flores, Inc., doing business as Union Transport System, 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 FEB 13 1980, at San Francisco, California.

John E. Beyer
 President

Thomas L. Stinson

Richard D. Howell

Clara J. DeWitt

Commissioners

Commissioner Leonard M. Grimes, Jr., being necessarily absent, did not participate.

APPENDIX A

Carrier: Simon Flores, Inc. DBA UNION TRANSPORT SYSTEM

Commodities: Steel Bathtubs, Earthenware Water Closet Bowls, Hoppers and Tanks; Earthenware Sinks and Lavatories in mixed shipments only. (Item No. 159830 N.M.F.C.)

For: Norris Industries, Plumbing Fixtures Division.

From: City of Industry.

To: Points in California

Rating: Class 35.3

Minimum Weight: 40,000 pounds. (Applies only on loads when actual tendered weight exceeds 30,000 lbs. per unit of carrier equipment.)

Conditions:

1. Carrier's trailer(s) may be spotted for loading at the consignor's place for loading, providing however, the carrier's trailer(s) is (are) picked up by the carrier within a 24-hour period computed from the time of arrival of carrier's equipment at the place of loading. Spotting service shall apply only when the bill of lading is annotated with the words "SPOTTING SERVICE REQUESTED."
2. Loading/unloading time shall be computed from the time of arrival of carrier's equipment at the site of loading/unloading until such loading/unloading is completed and the carrier's equipment is released except as provided for in paragraph 1.
3. Free time shall be restricted to one and one-half hours for loading or unloading of a single unit of carrier's equipment except as provided for in paragraph 1.
4. Excess loading and unloading time shall be charged for at the rates provided in Item 145 of MPT 2. Shipper to pay for all excess loading time and consignee to pay for all excess unloading charges including extra delivery charges where applicable.
5. No spotting service shall be accorded to consignee site.

APPENDIX A

6. Applicable only on shipments of prepaid freight released to ten (10) percent of value.
7. Applicant has not indicated that subhaulers will be engaged nor have any cost of subhaulers been submitted. Therefore, if subhaulers are employed, they shall be paid no less than the rates authorized herein.
8. Shipments to be power loaded by shipper and power unloaded by consignee without assistance of carrier personnel.
9. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)