

Decision No. 91352 FEB 13 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Bayview Trucking,)
 Inc. for authority to charge less)
 than minimum rate for the trans-)
 portation of trisodium phosphate)
 in bulk in bins for the account)
 of Procter & Gamble Company under)
 Section 3666 of the Public)
 Utilities Code.)

Application No. 59347
 (Filed December 20, 1979)

OPINION AND ORDER

By this application, Bayview Trucking, Inc. (Bayview) requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of trisodium phosphate, in bulk, in bins for Procter & Gamble Company between Richmond and Sacramento.

This traffic was previously handled by Basic Materials Transportation (Basic) under authority granted by this Commission to deviate from the minimum rates (Decision 82422, dated February 5, 1974 in Application 54497). Bayview seeks to replace Basic in this traffic at the same level of rates as were authorized for Basic.^{1/} Basic has withdrawn from the traffic and is aware of this application by Bayview.

1/ Comparison between Minimum Rate Tariff 2 and proposed deviation rates in cents per hundred pounds:

	<u>Minimum Rate Tariff 2</u>	<u>Deviation</u>
Richmond to Sacramento - Trisodium Phosphate		
Minimum Weight:	40,000 pounds	45,000 pounds
Class:	35	35.3
Item 508.1	85 cwt plus s/c's	66 cwt plus s/c's
Sacramento to Richmond - Empty tote bins returning		
Minimum Weight:	5,000 pounds	5,000 pounds
Class:	125 (1tl)	50% of Class 55
Item 502:	381 cwt plus s/c's	198% cwt plus s/c's

The transportation involves material which is the basic commodity used in the production of cleaning compounds. Scheduling of the traffic is critical to the production schedules. The transportation is a round-trip movement consisting of empty tote bins returning to Richmond and full bins moving to Sacramento. All loading and unloading is accomplished by lift trucks furnished by shipper and consignee. Scheduling is done from the Sacramento plant of Procter & Gamble Company.

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 December 26, 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 should be the date hereof because there is an immediate need for this rate relief.

IT IS ORDERED that:

1. Bayview Trucking, Inc., a corporation, 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.

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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. Bryan

President
William H. Thompson

Richard W. Goodle

Clarence T. Desively

Commissioners

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

Carrier: Bayview Trucking, Inc.
Shipper: Procter & Gamble Company
Commodity: Trisodium phosphate, chlorinated or not chlorinated, in shipper-owned bins of not less than 60 cubic feet capacity.
From: Richmond To: Procter & Gamble Company, Sacramento
Minimum Weight: 45,000 pounds of product per shipment. Rate applies to the combined weight of the commodity and bins. The weight of the bins must be shown separately on the bill of lading and may not be used to make up the minimum weight of the shipment.
Rate: MRT 2 - Item 508.3 - Class 35.3

Commodity: Used empty bins, not nested, for return paying load of trisodium phosphate.
From: Sacramento To: Richmond
Minimum Weight: 5,000 pounds per shipment.
Rate: MRT 2 - Item 502 - 50% of Class 55 but not less than 83 cents per 100 pounds.

Conditions:

1. The loading and unloading of carrier's equipment will be performed by the shipper's lift trucks. One hour free time will be allowed for loading and one hour free time will be allowed for unloading bins commencing from the time carrier's equipment is placed at the designated loading or unloading place. Delay in excess of free time will be charged for as provided in Item 145 of Minimum Rate Tariff 2.
2. 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 not less than the rates authorized herein without any deduction for use of applicant's trailing equipment.
3. All other provisions of Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)