

ORIGINAL

Decision No. 92627

JAN 21 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Apex Bulk Commodi-)
ties, a corporation, for authority)
to deviate from the otherwise)
applicable minimum rates in the)
transportation of limestone for)
the account of PPG Industries,)
Inc.)

Shortened Procedure
Tariff Docket
Application No. 60025
(Filed October 22, 1980)

OPINION AND ORDER

By this application, Apex Bulk Commodities (Apex), a corporation, seeks authority to deviate from the provisions of Minimum Rate Tariff 7-A in connection with the transportation of limestone in dump truck equipment. Apex proposes to transport the limestone for the account of PPG Industries, Inc., Fresno, from the plant of Pfizer, Inc., Lucerne Valley.^{1/}

The application is based upon special conditions and circumstances. Since applicant now transports complementing traffic for the accounts of Thatcher Glass and Johns-Manville Products,

^{1/} The present and proposed rates in cents per ton are:

Minimum Rate Tariff 7-A
Item 320
Minimum Weight 24 tons

1792 + 9 1/4% S/C

Proposed Rate
Minimum Weight 26 tons

1545

(SPT) A.60025 T/HEC/BW

certain dead-head mileages are eliminated, equipment is more efficiently used, and cost reductions are achieved.

Revenue and expense data submitted by petitioner are sufficient to determine 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 October 29, 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 should be the date hereof because there is an immediate need for this rate relief.

IT IS ORDERED that:

1. Apex Bulk Commodities, 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.

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

The effective date of this order is the date hereof.

Dated JAN 21 1981, at San Francisco, California.

John E. Bryan
President
Walter D. Hooper
Samuel H. Smith

Commissioners

APPENDIX A

Carrier: Apex Bulk Commodities, a corporation
Commodity: Limestone
From: The plant of Pfizer, Inc., Lucerne Valley
To: PPG Industries, Inc., Fresno
Minimum Weight: 26 tons per unit of equipment
Rate: \$15.45 per ton

Subject to the following conditions:

1. 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.
2. The rate authorized above is subject to all intrastate rail rate increases subsequent to the Ex Parte 375C Tariff.
3. In all other respects, the rates and rules in Minimum Rate Tariff 7-A shall apply.

(END OF APPENDIX A)