

Decision No. 92536 MAR 17 1981**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of HARRISON-NICHOLS)
 COMPANY LTD. for authority to)
 deviate from the minimum rates,) Application Nos. 60196 and 60197
 rules and regulations of Minimum) (Filed January 16, 1981)
 Rate Tariff No. 7-A, pursuant to)
 the provisions Code, for KERR)
 GLASS MANUFACTURING CORPORATION.)

OPINION AND ORDER

By these applications, Harrison-Nichols Company, Ltd., 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. Harrison-Nichols proposes to transport the limestone for the account of Kerr Glass Manufacturing Corporation from Colton to its glass manufacturing plants at Santa Ana and Vernon.^{1/}

The applications were consolidated based upon their common shipper, commodity and financial data. The only difference between the two applications was the points of destination for the Kerr Glass Manufacturing Corporation plants (Santa Ana and Vernon).

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

	<u>Minimum Rate Tariff 7-A</u> <u>Minimum Weight 24 tons</u>	<u>Proposed Rate</u> <u>Minimum Weight 28 tons</u>
To: Santa Ana	\$ 4.76	\$ 4.65
Vernon	5.19	4.90

Kerr Glass Manufacturing Corporation is currently using rail shipments for these movements from Colton. If the applications are granted the traffic will immediately be transported by dump truck. Harrison-Nichols Company, Ltd. desires to acquire this traffic particularly because ~~because~~ of the economic downturn in the dump truck industry. ✓
KX

These proposals meet the guidelines of the Commission's Energy Efficiency plan and will not significantly affect energy efficiency within the meaning of Section 3502.1 and 3502.2 of the Public Utilities Code.

The applications are based upon special circumstances and conditions. Such operations will be conducted 353 days per year which provides cost savings to the carrier. Revenue and expense data submitted by applicant are sufficient to determine that the transportation involved may reasonably be expected to be profitable under the proposed rates.

Findings of Fact:

1. The consolidation of Applications Nos. 60196 and 60197 is one that can be made because of common factors contained in both applications.
2. The transportation is presently being performed by rail shipments.
3. Harrison-Nichols Company, Ltd. is a holder of a dump truck carrier permit issued by this Commission.

4. The rates, rules and regulations governing transportation performed by dump truck carriers are published in the Commission's Minimum Rate Tariff 7-A.

5. Harrison-Nichols Company, Ltd. is seeking a rate reduction pursuant to Section 3666 of the Public Utilities Code.

6. Equipment will be fully utilized as this traffic flows on a daily basis year round.

7. Revenue and expense data submitted by applicant are sufficient to determine the profitability to the firm if the applications are granted.

8. The reductions in rates as sought are reasonable.

9. The applications were listed on the Commission's Daily Calendar of January 21, 1981.

10. No objections to the applications have been received.

11. A public hearing is not necessary.

12. The following order has no foreseeable impact on the energy efficiency of highway carriers.

13. Since there is an immediate need for this rate relief, the effective date this order authorizing the rate reduction should be the date of signature.

Conclusion of Law

The proposed rate reductions are just and reasonable, and the applications should be granted to the extent set forth in the ensuing order.

IT IS ORDERED that:

1. Applications Nos. 60196 and 60197 of Harrison-Nichols Company, Ltd. are consolidated and the Ordering Paragraph 2, herein, applies to both applications.
2. Harrison-Nichols Company, Ltd., 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.
3. The authority granted herein shall expire one year 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 MAR 17 1981, at San Francisco, California.

John E. Boyer
President
W. H. M. ...
...
Victor ...
Commissioners

APPENDIX A

Carrier: Harrison-Nichols Company, Ltd.
Shipper: Kerr Glass Manufacturing Corporation
Commodity: Limestone
From: Colton Lime and Stone Company, Colton
To: Santa Ana Plant of Kerr Glass Manufacturing Corp.
Vernon Plant of Kerr Glass Manufacturing Corp.
Minimum Weight: 28 tons per unit of equipment
Rate: Between Colton and:
Santa Ana - \$ 4.65 per ton
Vernon - \$ 4.90 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. In all other respects, the rates and rules in Minimum Rate Tariff 7-A shall apply.

(END OF APPENDIX A)