

Decision 93201 MAY 19 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, rules and regulations of the Minimum Rate Tariff No. 7-A, pursuant to the provisions of Section 3666 of the Public Utilities Code, for Ball Corporation.

Application 60355 (Filed March 12, 1981)

O P I N I O N

By this application, Harrison-Nichols Company Ltd., a corporation, requests authority to deviate from the provision of Minimum Rate Tariff 7-A in connection with the transportation of silica sand and limestone from San Juan Capistrano, Lucerne Valley, and Colton to El Monte. The transportation is to be performed for the account of the Ball Corporation.

The application is based upon special conditions and circumstances, such as: bulk loading and unloading without carrier's assistance; volume movement with facilities operating 24 hours per day, seven days per week; and, cost reductions developed by the efficiencies of maximum equipment utilization.

Revenue and expense data submitted by applicant indicate the transportation involved may reasonably be expected to be profitable under the proposed rates.^{1/}

The proposed rate deviations do not constitute a major action ^a affecting energy efficiency under Public Utilities Code Sections 3502.1 and 3502.2. ✓
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The application was listed on the Commission's Daily Calendar of March 17, 1981. No objection to the granting of the application has been received.

Findings of Fact

1. Harrison-Nichols Company Ltd., is a dump truck carrier under a permit issued by this Commission.
2. Authority is sought to deviate from the rates published in Minimum Rate Tariff 7-A.
3. The reduction in rates is based upon special conditions which enable the carrier to achieve efficiencies by maximum use of equipment.
4. The proposed rates are compensatory, reasonable and justified.

1/ The present and proposed rates are:

	Minimum Rate Tariff 7-A Minimum Weight 24 Tons	Proposed Rate Minimum Weight 27 1/2 Tons
Silica Sand	\$5.40/Ton Plus 9 1/4%	\$4.50/Ton
Limestone	\$7.96/Ton Plus 9 1/4%	\$6.81/Ton
Limestone	\$4.36/Ton Plus 9 1/4%	\$4.68/Ton

5. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

6. A public hearing is not necessary.

Conclusion of Law

The proposed rates have been justified and the application should be granted as set forth in the ensuing order.

O R D E R

IT IS ORDERED that:

1. Harrison-Nichols Company Ltd., a corporation, is authorized to perform the transportation shown in Appendix A, attached, and at not less than the rates it sets forth.

2. 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.

This order becomes effective 30 days from today.

Dated MAY 19 1981, at San Francisco, California.

John E. Byron
President
Shepherd W. Gault
James W. Gault
Victor Calvo
Marion C. Green
Commissioners

APPENDIX A

Carrier: Harrison-Nichols Company Ltd.

Shipper: Ball Corporation

Commodities / Origin / Destination / Rates:

A. Silica Sand
From: San Juan Capistrano
To: El Monte
Rate: \$ 4.50 per ton

B. Limestone
1) From: Lucerne Valley
To: El Monte
Rate: \$ 6.81 per ton

2) From: Colton
To: El Monte
Rate: \$ 4.68 per ton

Minimum Weight: 27 1/2 tons per unit of equipment.

Conditions:

1. When subhaulers are employed, they shall be paid not less than 95 percent of the rates authorized herein.
2. In all other respects, the rates and rules set forth in Minimum Rate Tariff 7-A shall apply.

(END OF APPENDIX A)