

Decision 93226 JUN 16 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 Minimum Rate Tariff 7-A, pursuant to provisions of Section 3666 of the Public Utilities Code, for Owens-Illinois, Inc.

Application 60460  
(Filed April 20, 1981)

O P I N I O N

By this application, Harrison-Nichols Company Ltd. under its dump truck carrier authority seeks authority under Public Utilities (PU) Code Section 3666 to deviate from the minimum rates in Minimum Tariff 7-A. The transportation to be performed under the deviation would be bulk silica sand from San Juan Capistrano to Tracy and Oakland and from Ione to City of Industry for the account of Owens-Illinois, Inc.<sup>1/</sup>

The silica sand transported northbound is used in the production of glass containers for the food packing industry, while the silica sand transported southbound (Owens-Illinois, Libby Division) is for the production of tumblers and stemware glasses.

<sup>1/</sup> The present and proposed rates in cents per ton are:

Minimum Rate Tariff 7-A Items 100 and 110 Min Wt. -	50-75 Tons	Proposed Rates Min. Wt. - 28 Tons
San Juan Capistrano - Oakland	2188	2188
San Juan Capistrano - Tracy	2205	2205
Ione - City of Industry	1701	1701

Applicant is presently performing this transportation and cites flexibilities and efficiencies that have developed based upon both the volume of traffic and the north/south movement. 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.

Applicant has submitted cost data pertaining to his use of subhaulers who have been participating in this traffic. The data illustrate that the transportation is profitable for the subhaulers and they have indicated their desire to continue their participation in this traffic.

These proposals meet the guidelines of the Commission's Energy Efficiency Plan and will not significantly affect energy efficiency within the meaning of PU Code Sections 3502.1 and 3502.2.

Findings of Fact

1. Harrison-Nichols Company Ltd. is a holder of a dump truck carrier permit issued by this Commission.
2. The rates, rules, and regulations governing the transportation performed by dump truck carriers are published in the Commission's Minimum Rate Tariff 7-A.
3. Harrison-Nichols Company Ltd. is seeking a deviation from the provisions of Minimum Rate Tariff 7-A under PU Code Section 3666.

4. Revenue and expense data submitted by applicant are sufficient to determine the profitability to the firm if the application is granted.

5. Applicant intends to continue using subhaulers on these movements. Revenue and expense data submitted for the subhaulers show favorable operating ratios for these subhaulers when engaged.

6. The application was listed on the Commission's Daily Calendar of April 22, 1981.

7. No objections to the application have been received.

8. A public hearing is not necessary.

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

Conclusions of Law

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

2. Since transportation conditions may change, this authority should expire in one year.

Since conditions under which the service is performed may change at any time, the authority granted in the ensuing order will expire at the end of one year unless sooner canceled, modified, or extended by order of the Commission.

O R D E R

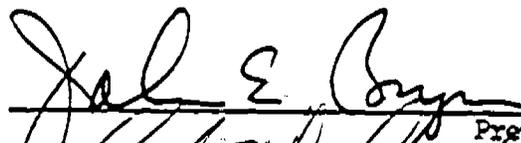
IT IS ORDERED that:

1. Harrison-Nichols Company Ltd. is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 7-A by charging not less than those rates set forth in Appendix A of this decision. This authority does not include any deviation from any rates, rules, or regulations except as specifically set forth in Appendix A.

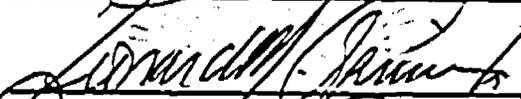
2. The authority granted shall expire one year after the effective date of this order unless sooner canceled, modified, or extended by order of the Commission.

This order becomes effective 30 days from today.

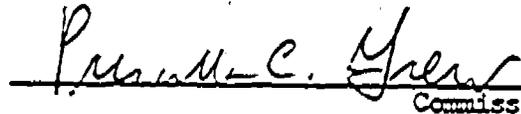
Dated JUN 16 1981, at San Francisco, California.

  
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President

  
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Commissioner

  
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Commissioner

  
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Commissioners

## APPENDIX A

Carrier: Harrison-Nichols Company Ltd.

Shipper: Owens-Illinois, Inc.

Commodity: Silica Sand

Minimum Weight: 28 Tons per unit of Equipment

Rates:		<u>Cents Per Ton</u>
From:	To:	
San Juan Capistrano	Tracy	2205
San Juan Capistrano	Oakland	2188
Ione	City of Industry	1701

Subject to the following conditions:

1. Payments to subhaulers (underlying carriers) ~~for~~ shall be in accordance with the provisions set forth in Minimum Rate Tariff 7-A. ✓ SS
2. In all other respects the rates and rules of Minimum Rate Tariff 7-A shall apply.

(END OF APPENDIX A)