

CA-1

Resolution No. STD- 1128

TRANSPORTATION DIVISION
TARIFF & LICENSE BRANCH
Tariff Section

Before the Public Utilities Commission
of the State of California

RESOLUTION ORDERING DISPOSITION OF
SPECIAL TARIFF DOCKET REQUESTS

Requests as identified hereinafter have been filed on the Special Tariff Docket for authority to make tariff changes for which permission of the Commission is requisite under provisions of the Public Utilities Code or orders of the Commission. Due consideration has been given to the representations contained in the verified requests, and good cause appearing, the following findings and order are made:

The Commission finds that the following requests are justified and should be granted subject to conditions specified in the orders which are attached hereto and by this reference made a part hereof:

Request and
Order No.

Request Filed By:

STD-9964

N.H.C. Trucking Company, Inc.

Resolution No. STD- 1128
(Concluded)

The Commission finds that the following requests do not contain sufficient justification for the authority sought, and therefore should be denied without prejudice:

Request and
Order No.

Request Filed By:

NONE

The Commission finds that the following requests are of a nature not suitable for processing on the Special Tariff Docket, and therefore should be dismissed without prejudice:

Request and
Order No.

Request Filed By:

NONE

IT IS ORDERED that the aforesaid requests are granted, denied or dismissed, as the case may be, in accordance with the findings hereinbefore set forth, and as specified in the orders which are attached hereto and by this reference made a part hereof.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California, held on the 17th day of June, 19 88, the following Commissioners voting favorably thereon.

STANLEY W. HULETT
President
DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners



Executive Director of the
Public Utilities Commission of the State of California

Order No. STD- 9964

Before the Public Utilities Commission of the State of California

Request filed by:

H.H.C. Trucking Company, Inc.

} Special Tariff Docket
Request Numbered Same as
Order Number Above.


In conformity with the findings and order made by the Commission in a resolution entered this day, the request, copy of which is attached hereto and by this reference made a part hereof, is granted, subject to the following conditions:

The authority herein granted is limited strictly to its terms, and shall expire unless the tariff provisions authorized herein are published and filed in the San Francisco office of this Commission within ninety days after the date hereof. The item of tariff or supplement issued pursuant to this order shall bear reference to this order in substantially the following form:

"Authorized by Cal. P.U.C. Order No. STD- 9964."

This order issued June 17, 1988, by the Public Utilities Commission of the State of California by the adoption of the resolution of which this order is a part.

STANLEY W. HULETT
President
DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners


Executive Director of the
Public Utilities Commission of the State of California

State of California

Memorandum

Date : June 10, 1988

To : The Commission
(Meeting of June 17, 1988)

From : Public Utilities Commission—San Francisco

Robert E. Walker
- Robert E. Walker, Principal
Tariff & License Branch

File No.:

Subject: CA-1

SPECIAL TARIFF DOCKET RESOLUTION NO. 1128

STD - 9964 - M.H.C. Trucking Company, Inc.

Transferee of a cement certificate requests authority to amend the scope of its existing Local Freight Tariff No. 1 by adding the new counties acquired through the transfer, in lieu of adopting the bureau tariff participation of transferor.

Recommended Denial

NONE

Recommended Dismissal

NONE

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Application of M.H.C. Trucking)
Company, Inc. (T-85892) for) Application
authority to publish rates of)
transferor in Local Freight Tariff)
No. 1 of M.H.C. Trucking Company,)
Inc., containing rates and charges)
for the transportation of cement.)

SID Docket No. 9964

1988 MAY 13 AM 9:18

REC'D
PUBLIC UTILITIES COMM.
STATE OF CALIF.

APPLICATION

The application of M.H.C. Trucking Company, Inc., hereinafter referred to as M.H.C. or applicant, respectfully shows:

I

Applicant is a corporation. Applicant's mailing address is Post Office Box 1670, Santa Maria, California 93456. Applicant's telephone number is (805) 922-5064. A certified copy of applicant's Articles of Incorporation is on file with the Commission under File T-85892.

II

Correspondence and communications in regard to this application are to be addressed to:

Rod Logan
San Miles, Inc.
2124 F Street, Suite B
Bakersfield, California 93301
Telephone (805) 324-1663

III

Applicant is a cement carrier with authority to transport as a common carrier cement, hydraulic, masonry, natural or portland, in bulk or in packages, from points in California, to and within the Counties of Los Angeles, Orange, San Luis Obispo, and Santa Barbara. Local Freight Tariff

No. 1 of M.H.C. Trucking Company, Inc. was filed September 17, 1982, to become effective October 26, 1982, and contains rates for the transportation authorized. Applicant also holds highway common carrier authority and various permitted authorities issued by the Commission under CAL T-85892.

Concurrent with the filing of this application, applicant has filed with the License Section of the Public Utilities Commission an application to transfer cement carrier authority for shipments transported to Kern County from Dennis R. Imanura, an individual doing business as Yokohama Flash Service (T-105904).

IV

General Order 117-A would require M.H.C. to adopt the tariff publication of Yokohama Flash Service upon the approval of the transfer of operating rights by the Commission. Applicant hereby seeks authority to publish rates for the transportation of cement to Kern County at the same level of rates now published by transferor, Yokohama Flash Service in Western Motor Tariff Bureau, Inc., Local Freight Tariff No. 17, with such rate publication to be made in Local Freight Tariff No. 1 of M.H.C. Trucking Company, Inc.

V

The purpose of such a request is to simplify applicant's tariff filings, not to effect any increase or reduction in charges. Without such authority, applicant would need to become a member of Western Motor Tariff Bureau in order to adopt the tariff participation of Yokohama Flash Service. With the grant of the authority sought in

this application, applicant will be able to provide rates for all its cement carrier transportation service in its already-existing individual tariff.

VI

Applicant's tariff contains rates at the same level as those currently in effect for the transferor and would have the same rules applicable to these rates. Applicant intends to amend Local Freight Tariff No. 1 to the degree necessary to reflect the rate level of transferor should such amendments be necessary. In no event would the rate changes resulting from the publication of the additional operating authority in Local Freight Tariff No. 1 instead of transferor's tariff amount to as much as one percent of the carrier's annual revenue generated from the additional operating authority.

VII

This is not a major action under Sections 3502.1 and 3502.2 of the California Public Utilities Code.

VIII

Applicant alleges that the cost of reproducing and distributing copies of this application to all carriers operating in the state of California would be excessive and that adequate notice of the intent of applicant will be accomplished through routine publication in the Commission's Daily Transportation Calendar. Therefore, in order to secure just, speedy and inexpensive determination of the issues present, waiver of Rule 21F of the Rules of Practice and Procedure is respectfully requested under Rule 87 of the Rules of Practice and

Procedure. Applicant knows of no opposition to this application. A copy of this application will be served by first-class mail to any party upon request.

WHEREFORE applicant prays that relief sought by this application be granted; and that the Commission issue its ex parte order permitting applicant to publish in its individual tariff the rates of transferor, Dennis R. Imamura, an individual doing business as Yokohama Flash Service, for the transportation of cement to Kern County; that increases resulting in an increase in applicant's gross revenue as a highway common carrier of not more than one percent be authorized; that said order provide that the tariff amendment be made effective within ten days of its publication; that departure from Sections 460 and 461.5 of the Public Utilities Code be authorized to the extent necessary to apply the increase granted; and that the Commission grant such other order and further relief as may be reasonable and proper.

Executed on May 2, 1988, at Santa Maria,
California.

By: Robert Swayze
Robert Swayze, President
M.H.C. TRUCKING COMPANY, INC.
P. O. Box 1670
Santa Maria, CA 93456

VERIFICATION

I am an officer of the applicant and am authorized to make this Verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to matters therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 2, 1988, at Santa Maria,
California.

By: Robert Swayze
Robert Swayze, President
M.H.C. TRUCKING COMPANY, INC.
P. O. Box 1670
Santa Maria, CA 93456