

Decision No. 9026

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
OPPENHEIMER TRUCK LINE for increase
in rates, and additional rules and
regulations.

} Application No. 6513.

Warren E. Libby for Applicant.

BY THE COMMISSION.

O P I N I O N

Rush Oppenheimer, doing business under the fictitious name of the Oppenheimer Truck Line, applies for authority to increase rates for transporting merchandise between San Diego, Bostonia and intermediate points.

A public hearing upon the matter was held by Examiner Westover at San Diego.

The ground of the application is that the present rates have been in effect for five years, while operating costs have greatly increased. It appears from the testimony, however, that applicant has kept no books or records from which the Commission can determine his revenue or operating expenses, nor how these would be affected by placing in effect the new tariff, rules and regulations proposed. As he cannot present any evidence showing the quantities of traffic of various classes moving between various points, nor how the proposed rates would have affected revenue if applied to freight movements during any period in the past, it is manifest that the Commission is without sufficient data upon which to determine the reasonableness and effect of the proposed rates.

It is suggested that, although the evidence presented was insufficient, the Commission "allow six months tentative increase". During this period a satisfactory record will be kept and submitted to the Commission.

A number of the rates involve increases of 100% or more, and many others more than 50%. It is very apparent that it would be unjust to the shipping and consuming public to allow increases without supporting testimony, especially in view of the recent decreases in operating costs, such as, tires and gasoline.

Those operating public utilities must realize that the only safe course is to maintain adequate, detailed, exact records from which satisfactory analyses of operating and traffic conditions can be made and studied. Without such data, the Commission often finds itself unable to grant relief in instances where utilities or carriers might be able to prove the need of relief with the aid of adequate records. Applicants for increases in rates must realize that the burden is always upon them to prove that they are entitled to increases, and just what the effect of the proposed rates will be upon their revenue.

O R D E R

A public hearing having been held upon the above entitled application, the matter being submitted and ready for decision, and the applicant having failed to show any justification for an increase in rates,

IT IS HEREBY ORDERED that the application be and it is hereby denied.

Dated at San Francisco, California, this 28th day of May, 1921.

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Commissioners.