

28431

Decision No. 20122

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

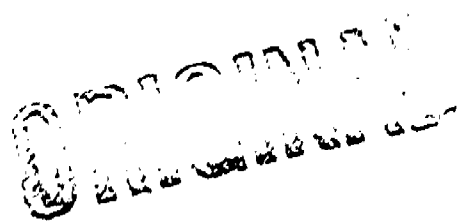
In the Matter of the Application of R.C. Dearborn, as Agent for all carriers parties to Perishable Protective Tariff No. 8, C.R.C. No. 7, of R.C. Dearborn, Agent, for authority to amend Rule No. 630 of said tariff.

Application No. 20122

L.M. Bradshaw for Applicant

BY THE COMMISSION:

O P I N I O N



In this proceeding, R.C. Dearborn, Agent for all carriers parties to his Perishable Protective Tariff No. 8, C.R.C. No. 7, seeks authority to amend Rule 630 thereof. This rule now provides in general that carriers will furnish or will allow shippers to use or will participate with connecting carriers in handling refrigerator cars, to be loaded by shippers at their own expense with less than carload freight when the aggregate weight is not less than 15,000 pounds per car or when the freight charges are assessed on basis of 15,000 pounds per car. Paragraph 10 of the rule further provides that on traffic transported under the provisions of the rule, freight charges will be assessed on actual weight of the shipment at rate applicable to the commodity shipped. Any deficit in weight will be charged for and prepaid by shipper at the fourth class rate applicable from loading station to final destination of the car.

It is now proposed to amend said Rule 630 by adding an exception to Paragraph 10 reading as follows:

"(Applicable only on California Intrastate Traffic). Between points in California, the minimum earnings per car shall be the charges applicable on 15,000 pounds at the fourth class rate from point of origin to final destination, subject to minimum charge of thirty dollars (\$30.00) per car."

The matter was submitted at a public hearing had before Examiner Freas at San Francisco, December 4, 1935.

The record shows that cars moving under the provisions of Rule 630 are initially iced with 10,600 pounds of ice at a cost of \$18.55. This ice is furnished by the carriers at their own expense. After deducting this \$18.55 from a total revenue of less than \$30.00 per car, there is very little left to cover the cost of performing the transportation service. By providing the \$30.00 minimum, the revenue remaining for the transportation service would at least be \$11.45 per car. A witness for the applicant further testified that to the best of his knowledge there is practically no movement at the present time that would be affected by the proposed charge and that there is little probability of increased movements in the future. The increase is sought mainly in order to remove from the tariff what are regarded as unreasonably low and non-compensatory rates. It is pointed out that regular scheduled refrigerator cars are covered by Rule 610 of the same tariff and will not be affected by the proposal here.

No one appeared in opposition to the granting of the application.

Upon consideration of all the facts of record, we are of the opinion and find that the application should be granted.

O R D E R

This matter having been duly heard and submitted,

IT IS HEREBY ORDERED that the above entitled application of R.C. Dearborn for authority to amend Rule 630 of his Perishable Protective Tariff No. 8, C.R.C. No. 7 be and it is hereby granted.

Dated at San Francisco, California, this 9<sup>th</sup> day of December, 1935.

Leon Whiteley

M. A. Cain

W. B. Linn

W. H. Linn  
Frank W. Linn

Commissioners