

Decision No. 32244

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Wells, Inc., to charge less) Application No. 22880
than established minimum rates.)

BY THE COMMISSION:

OPINION AND ORDER

ORIGINAL

By this application Wells, Inc., a radial highway common carrier and contract carrier, seeks authority under Section 11 of the Highway Carriers' Act to transport mining and milling supplies for Walker Mining Company, and groceries, food stuffs, clothing and miscellaneous supplies for Pland-Evans Company, from Portola to Walkermine, at rates less than the established minimum rates.

The minimum rates for the transportation here involved are stated in the form of class rates which vary with the nature of the commodity and with the weight of the shipment.¹ Applicant proposes to charge, in lieu thereof, a rate of 20 cents per 100 pounds, minimum charge 25 cents per shipment.

According to the application, applicant transports copper concentrates in dump trucks from Walkermine to a railhead near Portola and, on the return movements, transports mining and milling supplies for Walker Mining Company and groceries, food stuffs,² clothing and miscellaneous supplies for Pland-Evans Company.

¹ The applicable minimum rates are those established by Decision No. 31606, as amended, in Case No. 4246, which became effective August 7, 1939.

² Pland-Evans Company operates a boarding house and store serving the needs of the employees of the Walker Mining Company.

The movement in the one direction is interstate; it consists of copper concentrates on which a rate of 7½ cents per 100 pounds is assessed. The return movements consist of the traffic involved in this application. It is alleged that the rate sought to be applied on the return movements will be compensatory; that it will relieve applicant and its shippers of the expense of segregating and classifying commodities; and that no other carriers operate between the points involved.

A revenue and expense statement appended to the application, covering both the outbound and the return movements, shows that for the period from May 1, 1939, to June 30, 1939, both dates inclusive, operating expenses (including overhead and depreciation) amounted to \$3,126.53 and revenues amounted to \$4,567.59. In addition, it is stated that, based on the percentage of shipments moving in each class and weight bracket, the weighted average rate under Decision No. 31606, supra, would be 18 cents per 100 pounds, as compared with the rate of 20 cents per 100 pounds sought.

This does not appear to be a matter in which a public hearing is necessary. The cost showing indicates that the proposed rate will be reasonable and compensatory and there are no other competing carriers who would be prejudiced by the granting of the authority sought. The application will be granted.

The conclusions herein reached are necessarily based upon existing conditions, and the authority granted will be limited to a period of one year, unless sooner changed, modified or cancelled by appropriate order of the Commission.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Wells, Inc., be and it is hereby authorized to transport property in dump trucks, for Walker

Mining Company and Pland-Evans Company, from Portola to Walkermine, at a rate of 20 cents per 100 pounds, minimum charge 25 cents per shipment.

The authority herein granted shall expire one (1) year from the effective date hereof, unless sooner changed, modified or cancelled by appropriate order of the Commission.

This order shall become effective ten (10) days from the date hereof.

Dated at San Francisco, California, this 15th day of August, 1939
4.

Ray Swablin
Francis Miller

[Signature]
Justice J. Cooney
Commissioners.