

Decision No. 35540

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of Earl Cochran, an individual doing business as Best Transportation Co., for authority to transport property for the United States Government at rates and charges in some cases lower than and different from the established minimum rates heretofore prescribed by this Commission.

Application No. 25101

BY THE COMMISSION:

OPINION AND ORDER

By this application, Earl Cochran, a radial highway common carrier, seeks authority to deviate from the established minimum rates in connection with the transportation of butter, eggs, cheese, dressed poultry, frozen fish, frozen berries, fresh fruits and vegetables, and frozen meats for the United States Government from Vernon to army camps not more than 270 miles distant from that city.

Applicant proposes to assess charges on the basis of rates which vary according to the quantity of property handled and the distance it is transported. In these respects the proposed basis is similar in plan to the established basis. Applicant also proposes, however, to use the same rates for all of the commodities involved, and in this regard his proposal differs from the established rates which vary according to the commodities transported.

In support of the sought authority applicant submitted a statement showing that the proposed rates are generally the same as or somewhat higher than the prescribed minimum rates. It is represented that all of the traffic involved will originate at the Army Quartermaster

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1. The minimum rates involved are those established by Decisions Nos. 31606 and 33977, as amended, in Cases Nos. 4246 and 4293, respectively.

Center and that this concentration of operations will facilitate the handling of the traffic and result in economies of operation. It is claimed, moreover, that only mixed shipments of the various commodities will be transported and that classifying and rating these shipments would cause considerable delay and involve extra work for both the Quartermaster Center and the applicant. It is also claimed that in view of these circumstances the proposed rates would be compensatory.

On this record there is little, if any, doubt that the proposed rates would in the aggregate produce revenues sufficient for compensatory operations thereunder. Under the circumstances, it appears that this is a matter in which a public hearing is not necessary and that the proposed deviation from the established minimum rates is justified. As it is possible, however, that the conditions under which this transportation service is to be rendered may change at any time, the authority will be limited to a one-year period, unless sooner canceled, changed or extended. Therefore, good cause appearing,

IT IS HEREBY ORDERED that Earl Cochran, an individual doing business as Best Transportation Co., be and he is hereby authorized to transport butter, eggs, cheese, dressed poultry, frozen fish, frozen berries, fresh fruits and vegetables, and frozen meats in mixed shipments from the United States Army Quartermaster Center situated at Vernon, under government bills of lading, at rates less than those established as minima by Decisions Nos. 31606 and 33977, as amended, in Cases Nos. 4246 and 4293, but not less than the rates set forth in Appendix "A" attached hereto and by this reference made a part hereof.

The authority herein granted shall expire one year from the date hereof, unless sooner changed, canceled, or extended by appropriate order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 30<sup>th</sup> day  
of June, 1942.

Justin F. Gallen

M. J. [Signature]

Francis D. Havens

Richard [Signature]

Commissioners

APPENDIX "A"

Statement of Rates in Cents Per 100 Pounds

(1) <u>MILES</u>		MINIMUM WEIGHT IN POUNDS					
		Any Quantity	2,000	4,000	10,000	18,000	24,000
Over	But not Over						
0	15	50	37	29	22½	17½	10
15	35	54	43	33	27½	22½	17½
35	70	61	54	40	33	25	17½
70	120	70	-	47½	37½	30	25
120	180	85	-	58	43	35	30
180	260	92	-	64	50	40	35
260	270	100	-	70	56	47½	40

(1) Constructive highway distances prescribed by Decision No. 31605, as amended, in Cases Nos. 4088 "N", 4115 and 4246.

--- END OF APPENDIX ---