

ORIGINAL

Decision No. 37176

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 HEIDLEBAUGH WAGNER TRUCKING CO., a)
 copartnership, for an order authorizing)
 HEIDLEBAUGH WAGNER to perform trans-)
 portation services in connection with)
 the construction of Fairfield Suisun)
 Army Air Base near Fairfield,) Application No. 26229
 California, at a rate lesser and/or)
 different than the minimum rate estab-)
 lished by the Railroad Commission, and)
 for relief under Section 11 of the)
 Highway Carriers Act.)

BY THE COMMISSION:

O P I N I O N

In this proceeding applicant, Heidlebaugh Wagner Trucking Company, a radial highway common carrier, seeks authority to observe a rate of 25 cents per ton for the transportation of crusher run base material in dump trucks from Cement Hill to Fairfield Suisun Army Air Base, a distance of approximately 5.5 miles, both points being situated within Solano County. By Decision No. 32566, rendered November 14, 1939, in Cases Nos. 4246 and 4434 (42 C.R.C. 272) minimum rates were established for the transportation of property in dump trucks by radial highway common carriers and highway contract carriers. In southern territory rates were established both on an hourly and on a weight basis but in northern territory, which includes the points embraced in the present application, rates were prescribed on an hourly basis only.

Casson & Ball, it is alleged, has been awarded a contract for the construction of certain work at the Fairfield Suisun Army Air Base, near Fairfield. This contemplates, among other things, the construction of a landing strip to be used by military airplanes.

In the course of this undertaking it will be necessary to transport some 500,000 tons of crusher run base material from the pit at Cement Hill to the Base, a distance of approximately 5.5 miles, most of which would be performed over private highways. Casson & Ball, under its contract, must complete the construction of the project within one hundred twenty days; assertedly the transportation of this material must be commenced by July 15, 1944.

To perform this transportation service, Casson & Ball propose to employ the applicant, who has had long experience in work of this type. Under this arrangement applicant, subject to the Commission's approval, would be compensated at the rate of 25 cents per ton. This rate, so applicant asserts, would be reasonable and compensatory and in excess of the existing minimum rates. In our judgment the facts recited in the application appear to justify this statement and, accordingly, applicant will be permitted to observe the 25 cent rate. As requested by applicant, the rate will continue in effect for a period of ten months during which, it is expected, the construction of the project will be completed.

Such a service, it would seem, is of a character that should be provided by a highway contract carrier. The application states, and the Commission's records disclose, that applicant holds no permit of that type, it being authorized to operate only as a city carrier and as a radial highway common carrier. Before engaging in this operation, therefore, applicant will be expected to apply for and obtain a permit as a highway contract carrier.

This is not a matter requiring a public hearing.

O R D E R

Application having been made as above entitled; and good cause appearing,

IT IS ORDERED that applicant Heidlebaugh Wagner Trucking Company, a copartnership, be and it hereby is authorized, as a highway contract carrier, during the period of ten months from and after the effective date hereof, to deviate from the requirements of Decision No. 32566, as amended, in Cases Nos. 4246 and 4434 by observing a rate of 25 cents per ton for the transportation of crusher run base material for Casson & Ball from Cement Hill to Fairfield Suisun Army Air Field, in Solano County.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 11th day of July, 1944.

Richard L. Lusk
Justus F. Craven
Francis R. Havener

Ernest H. Russell
COMMISSIONERS