

Decision No. 38197

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of
maximum and minimum, or maximum or
minimum rates, rules and regulations
of all common carriers, as defined in
the Public Utilities Act of the State
of California, as amended, and all
highway carriers, as defined in
Statutes 1935, Chapter 223, as amended,
for the transportation, for compensa-
tion or hire, of any and all agricul-
tural products:

ORIGINAL

Case No. 4293

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

Decision No. 37816 of April 24, 1945, in this proceeding prescribed minimum rates for the transportation of fresh fruits and vegetables by highway carriers from Monterey, San Benito, Santa Clara, Santa Cruz and San Mateo County points to Alameda, San Francisco and Santa Clara County points. By petition, Clark Bros. Motor Transport System, a highway common carrier operating between points in these Counties; requests permission to deviate from the prescribed rates by establishing, on one day's notice to the Commission and to the public, reduced rates for the transportation of apples to San Francisco and Oakland from Corralitos, Freedom and other points situated between Aptos and Watsonville.

The verified petition shows that the territory extending from Aptos to Watsonville is an important apple producing area; that under the prescribed mileage rate structure, rates to San Francisco and Oakland from Aptos and Watsonville are on the same basis and are lower than corresponding rates from points located between Aptos and Watsonville; that differences between the mileages involved are relatively slight; that numerous producers and

shippers of apples situated in the higher rated territory have requested rate equality with the Aptos and Watsonville producers and shippers; and that applicant desires to accord them this rate equality by reducing its rates from the area involved one cent per 100 pounds thereby lowering them to the Aptos-Watsonville level. Authority to effect the reduction on one day's notice is requested because the apples are already being harvested.

It appears that this is a matter in which a public hearing is not necessary and that the petition should be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Clark Bros. Motor Transport System be and it is hereby authorized to establish, on not less than one (1) day's notice to the Commission and to the public, rates for the transportation of apples from Corralitos, Freedom and other points situated between Aptos and Watsonville to San Francisco and Oakland, lower than those prescribed by Decision No. 37816 of April 24, 1945, in this proceeding, but not lower than those proposed by the petition here involved.

The authority herein granted shall be void unless exercised within ninety (90) days from the effective date of this order:

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

Dated at San Francisco, California, this 12th day of September, 1945.

Richard C. Anderson
Justice F. Coe
Francis W. Clark
John H. D. Smith
Commissioners