

ORIGINAL

Decision No. 39975

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
A. B. and KENNETH C. CLARK, a co-)	
partnership doing business as)	Application No. 28072
CLARK BROS. MOTOR TRANSPORT SYSTEM,)	
for an increase in rates.)	

Appearances

Reginald L. Vaughan, for applicants,
 J. J. Deuel and Edson Abel, for California
 Farm Bureau Federation, interested
 party.
 Walter A. Rohde, for San Francisco Chamber
 of Commerce, interested party.
 John S. Griffin, for United States Depart-
 ment of Agriculture, interested party.

OPINION

Applicants are engaged in the transportation of property as a highway common carrier between points in the Counties of San Benito, Santa Cruz and Monterey, on the one hand, and points in the Counties of Alameda, Santa Clara and San Francisco, on the other hand. They seek authority to increase their rates for the transportation of fresh fruits and vegetables by 6.71 per cent and for the transportation of other commodities by 10.11 per cent..

A hearing was had before Examiner Krause at San Francisco, on January 13, 1947..

The record shows that during the period from November 1, 1945, through October 31, 1946, 59.4 per cent of applicants' revenue was secured from general freight traffic, 38.6 per cent from the transportation of produce and 2 per cent from local draying and contract hauling.

No one opposed the granting of increases to the extent

necessary to enable applicants to maintain their service. A representative of the United States Department of Agriculture expressed the belief that fresh fruit and vegetable rates should be kept at the lowest possible level.

It is clear that at the time the record was made applicants were in need of additional revenue. However, subsequent to the submission of this matter the Commission issued Decision No. 39945 in Case No. 4808, which effected substantial increases in minimum rates for the transportation of general commodities.¹ It seems probable that the increases effected by that decision will return the revenue applicants require. On the record made the Commission is unable to make a finding that increases in excess of those established by Decision No. 39945 are justified. The application will be denied. Should additional revenue be found to be necessary applicants may again bring the matter to the Commission's attention.

O R D E R

The above entitled application having been heard and submitted, full consideration of the matters and things involved having been had, and the Commission being fully advised,

IT IS HEREBY ORDERED that the above entitled application

¹ Decision No. 39945 provides for increases in Highway Carriers' Tariff No. 2 rates as follows: (1) 12 per cent in rates subject to minimum weights of less than 20,000 pounds, (2) 8 per cent in rates subject to minimum weights of 20,000 pounds or more, (3) a minimum charge of \$1.00, (4) an arbitrary of 3 cents per 100 pounds to be added to the increased any-quantity rates.

be and it is hereby denied.

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 15th day of February, 1947.

Harold S. Kula
James J. Coleman
John H. Russell
A. E. Johnson
Robert H. Patten
Commissioners