

Decision No. 40251**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
 into the rates, rules, regulations,)
 charges, allowances and practices)
 of all common carriers, highway) Case No. 4808
 carriers and city carriers relating)
 to the transportation of property.)

SUPPLEMENTAL OPINION AND ORDER

Veryl Callison, doing business as Callison Truck Line, is a highway common carrier of fish and other designated commodities between Eureka, Fields Landing and points within a one-mile radius of Fields Landing, on the one hand, and San Francisco and Oakland, on the other hand.¹ Decision No. 39945 of February 4, 1947, in this proceeding, established a higher minimum rate level for highway carrier transportation of general commodities, including fish, effective March 31, 1947. This increase amounted to 8 per cent on rates subject to minimum weights of 20,000 pounds or more and 12 per cent on other rates. Additionally, "any-quantity" rates were increased by 3 cents per 100 pounds.

The minimum rate level theretofore in effect reflected a prior 12 per cent general increase established by Decision No. 39004 of May 21, 1946. Callison's fish rates were exempted from this increase on the strength of his showing that his rates on fish were remunerative and that the higher rates would have diverted a substantial volume of traffic to proprietary carriage (Decision No. 39070 of June 11, 1946). He now seeks authority to establish

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Between these points he is authorized to transport fresh, frozen and cured fish, crustaceans, fish livers and fish viscera and designated equipment, materials and supplies for the fishing business.

rates on fish reflecting the percentage increases of Decision No. 39945 rather than the aggregate increases of that decision and Decision No. 39004.

Petitioner alleges that operations under the proposed rates would be profitable; that establishment of these rates would restore rate relationships prevailing prior to March 31, 1947; and that the circumstances and conditions requiring rates lower than the minimum rates otherwise applicable still obtain. Competing common carriers have been notified of the proposed adjustment and have offered no objection thereto.

It appears that this is a matter in which a public hearing is not necessary and that petitioner has justified the establishment of the proposed rates, except in the case of the "any-quantity" rates. In connection with the "any-quantity" rates, petitioner has not shown that the additional increase of 3 cents per 100 pounds should not be incorporated in his rates. Ten days' notice to the Commission and to the public should be required instead of the one day's notice sought by petitioner.

On April 7, 1947, Arvin Line and John Azvedo, Jr., doing business as Swartout Valley Transfer, sought authority to assess charges less than the \$1 minimum per-shipment charge established by Decision No. 39945. Decision No. 40151, of April 8, 1947, reinstated the former level of per-shipment charges for the transportation involved. Petitioners have advised the Commission in writing that in view of this action the sought authority is not required. Accordingly, these petitions will be dismissed.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Veryl Callison be and he is hereby authorized to establish, within sixty (60) days from the

effective date of this order and on not less than ten (10) days' notice to the Commission and to the public, rates between points on his line for the transportation of fresh, frozen and cured fish, crustaceans, fish livers and fish viscera no lower than those resulting from applying to the rates in his Tariff No. 1, Cal. P.U.C. No. 1, in effect on March 30, 1947, increases of 8 per cent on rates subject to minimum weights of 20,000 pounds or more, and 12 per cent on other rates, plus 3 cents per 100 pounds in the case of "any quantity" rates; and that in all other respects the petition filed April 11, 1947, in this proceeding, be and it is hereby denied.

IT IS HEREBY FURTHER ORDERED that the petitions of Arvin Line and John Azvedo, Jr., doing business as Swartout Valley Transfer, filed April 7, 1947, in this proceeding, be and they are hereby dismissed.

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

Dated at San Francisco, California, this 6th day of May, 1947.

Harold D. Kule

Earl Powell

R. J. Johnson

Lawrence J. Pott
Commissioners