

ORIGINAL

Decision No. 40713

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Frank M. Teixeira, doing business as)
Frank's Trucking Company, for authority)
to charge less than minimum rates under) Application No. 28614
provision of Section 10, City Carriers')
Act.)

OPINION AND ORDER

Applicant is a city carrier operating in Oakland. By this application he seeks authority to charge a rate of \$4.00 per hour in lieu of the established minimum rate of \$5.66 per hour for the transportation of empty tin cans from Continental Can Company's plant in Oakland to its storage yard about 700 feet therefrom.

The verified application shows that the short distance involved enables applicant to average seven loads per 8-hour day, that daily wages are \$13.00 and that daily cost of fuel and oil does not exceed \$2.00. It is alleged that charges of \$45.28 per day under the minimum rate are excessive and that the proposed rate will cover all costs and return a satisfactory profit. It is further alleged that the sought rate reduction is necessary in order to prevent the traffic being diverted to proprietary transportation.

Draymen's Association of Alameda has been notified of the filing of this application and has advised that it has no objection to its being granted.

It appears that this is a matter in which a public hearing is not necessary and that the application should be granted. Because conditions may change at any time, however, the authority will be limited to a period of one year and made subject to earlier cancellation, modification or extension.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Frank M. Teixeira, doing business as Frank's Trucking Company, be and he is hereby authorized to transport empty tin cans for Continental Can Company from its plant at 5601 San Leandro Boulevard, Oakland, to its storage yard approximately 700 feet therefrom at rates less than the minimum rates established by Decision No. 29217, as amended, in Cases Nos. 4108 and 4109, but not less than \$4.00 per hour; and that the authority herein granted shall expire one year from the effective date of this order, unless sooner canceled, changed or extended by order of the Commission.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 16th day of September, 1947.

Harold A. Hull

Justice J. O'Connell

Just. Wallace

A. J. Johnson

Commissioners