

ORIGINAL

Decision No. 41515

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF
 MOSER'S FROZEN FOOD FREIGHT LINE, A
 CORPORATION, AND WILLIG FREIGHT LINES,
 A CORPORATION, FOR AUTHORITY TO
 ESTABLISH JOINT RATES FOR THE TRANS-
 PORTATION OF FISH AND RELATED ARTICLES
 FROM FORT BRAGG AND POINT ARENA AND
 INTERMEDIATE POINTS ON THE ONE HAND
 AND LOS ANGELES, ETC. ON THE OTHER
 HAND.

Application No. 29265

OPINION AND ORDER

Applicants are highway common carriers. Willig Freight Lines operates between Fort Bragg, Point Arena and intermediate points and San Francisco; Moser's Frozen Food Freight Line operates between San Francisco and Beverly Hills, Long Beach, Los Angeles, Pasadena, San Pedro, Santa Monica and Wilmington. By this application they seek authority to establish, on five days' notice, joint rates for the transportation of fresh or frozen fish and related articles from the Fort Bragg-Point Arena area to the southern California points.

The basic rates proposed are no lower than those prescribed as minima for radial highway common and highway contract carriers by Decision No. 31606 (41 C.R.C. 671), as amended. Added charges are made where certain refrigeration services are rendered. Applicants also propose to meet a rate of Railway Express Agency, Inc. applicable from Fort Bragg to Beverly Hills, Long Beach, Los Angeles, San Pedro and intermediate points. They seek authority under Article XII, Section 21 of the State Constitution and Section 24(a) of the Public Utilities Act to limit the application of this

¹ The related articles are clams, clam juice, crabs, shellfish, crawfish, fish entrails and livers, lobsters, oysters, scallops and shrimp.

rate to Fort Bragg only, in view of the fact that other origin points on Willig's line are not served by Railway Express. Under their proposal, the rates would be applied at points intermediate to Los Angeles on Moser's line.

Applicants allege that the only common carrier service available to the shippers is that of Railway Express, operated once a week from Fort Bragg; that otherwise shippers have been required to rely upon sporadic contract service; that shippers are unable to pay the combination of applicants' local rates; and that a heavy movement is expected to commence about May 1.

Railway Express and underlying rail carriers have been informed of the filing of this application and have offered no objection to its being granted.

It appears that this is a matter in which a public hearing is not necessary and that approval of the joint rates proposed is justified. The application will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Moser's Frozen Food Freight Line and Willig Freight Lines be and they are hereby authorized to establish, within sixty (60) days from the date hereof, the joint rates proposed in this application; to depart from the provisions of Article XII, Section 21 of the Constitution of the State of California and Section 24(a) of the Public Utilities Act to the extent necessary to exercise the authority herein granted; and to publish and file the rates herein authorized on not less than five (5) days' notice to the Commission and to the public.

This order shall become effective upon the date hereof.

Dated at San Francisco, California, this 27th day of April, 1948.

R. B. Zimmerman
James J. Gallivan
John A. Russell
Harold P. Hull
Kenneth L. Lott
 Commissioners