

Decision No. 43292

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
William R. Phillips for Authorization) Application No. 30479
to use a rate less than the established)
minimum.)

Appearances

William R. Phillips, applicant.
W. Morrison, for Morrison and
Jackson Lumber Company.

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OPINION AND ORDER

Applicant is a highway carrier. He seeks authority under Section 11 of the Highway Carriers' Act to transport lumber for Morrison and Jackson Lumber Company from a sawmill located at Little Salmon Creek to a planing mill situated at Myers Flat at a rate of 5½ cents per 100 pounds in lieu of the established minimum rate of 6½ cents.¹

Public hearing was had before Examiner Lake on August 25, 1949.

Applicant testified that unusually favorable operating conditions are experienced in the handling of this business; that approximately 150,000 pounds of lumber per day is transported; that the movement is for a distance of approximately 2½ miles over good county and private roads involving no movement through congested areas; and that average loading and unloading time, by reason of the exceptionally good facilities at points of origin and destination, requires only 5 minutes each. These circumstances, the witness said, result in a higher use factor and lower operating expense than would otherwise be encountered. He asserted that the established minimum rate, applicable to distances to and including 20 miles, when applied under these unusually favorable conditions and to shipments moving only 2½ miles, produced an improper result. A cost statement discloses that the profit accruing under the proposed rate would be substantial.

¹ Both points are located in Humboldt County.

A witness for the shipper stated that denial of the application would result in diversion of the traffic to proprietary operations. No one opposed the granting of the application.

The record is convincing that the proposed rate is reasonable. The application will be granted. Because the conditions which justify the granting of the application may change at any time, the authority herein granted will be limited to a period of one year and made subject to such earlier cancellation, change or extension as circumstances require.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that William R. Phillips be and he is hereby authorized to transport lumber for Morrison and Jackson Lumber Company from Little Salmon Creek to Myers Flat in Humboldt County at a rate less than the established minimum rate but not less than 5½ cents per 100 pounds, subject to rules and regulations provided in Highway Carriers' Tariff No. 2.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire one (1) year after the effective date of this order unless sooner canceled, changed or extended by order of the Commission.

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

Dated at San Francisco, California, this 13th day of September, 1949.

R. E. Anderson
Justice F. Coe
Harold P. Hull
Thomas J. Peterson
Commissioners