

ORIGINAL

Decision No. 44969

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of FORTIER TRANSPORTATION COMPANY,)
a corporation, for authority to)
charge less than the minimum rates)
under the provisions of the Highway)
Carriers' Act.)

Application No. 31828

OPINION AND ORDER

Applicant holds a highway contract carrier permit. It transports cement for the Monolith Portland Cement Company from its plant at Monolith to points in the vicinity of Greenfield and Shafter. This transportation involves the hauling of large quantities of bulk cement for state highway and Central Valley Project activities, respectively. At the commencement of these movements, the minimum rates were 8 cents to Greenfield and 9½ cents to Shafter.¹ Effective September 15, 1950, the minimum rates were increased to 9 and 11 cents (Decision No. 44633 of August 3, 1950, in Case No. 4808). Applicant now seeks authority to observe an 8-cent rate to Greenfield and a 10-cent rate to Shafter.

Applicant points out that the applicable minimum rates are distance rates based upon the constructive mileages shown in Distance Table No. 3; that the constructive mileages between the points involved do not reflect shortening and improvement of the road from Monolith to Bakersfield; that these changes are incorporated in a general revision of constructive mileages recommended by a member of the Commission's Transportation Department staff in Case No. 4808; and that under these recommendations the rates herein proposed would be applicable under the new cement rate structure.

The sought authority is assertedly necessary to avoid diversion of the traffic to proprietary operations.

¹ Rates are stated in cents per 100 pounds.

Competing carriers and other cement mills have been advised of the filing of this application. They have offered no objection to its being granted.

It appears that in the circumstances the proposed rates are reasonable and that this is a matter in which a public hearing is not necessary. Because the conditions under which the service is performed may change at any time, the authority will be limited to a one-year period.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Fortier Transportation Company be and it is hereby authorized to transport bulk cement in shipments of not less than 38,000 pounds for Monolith Portland Cement Company from that company's cement mill at Monolith to facilities of N. M. Ball Sons in the vicinity of Greenfield for the state highway project in that vicinity and to facilities of Peter Kiewit Sons in the vicinity of Shafter for the Central Valley Project in that vicinity at rates less than the established minimum rates but not less than 8 cents and 10 cents per 100 pounds, respectively; and that the authority herein granted shall expire one (1) 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 after the date hereof.

Dated at San Francisco, California, this 30th day of October, 1950.

James F. Calver
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Commissioners