

Decision No. 45165

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of E. M. THARP, doing business as)
E. M. THARP TRUCKING, for authority) Application No. 31962
to charge less than minimum rates)
under the provisions of the Highway)
Carriers' Act.)

OPINION AND ORDER

Applicant is a highway contract carrier. By this application he seeks authority under Section 11 of the Highway Carriers' Act to observe a rate less than the established minimum rate for the transportation of sacked potatoes from designated points in Tulare County to the Los Angeles market. This service would be performed for C. U. Baugher, doing business as Tule River Produce, and for H. H. Hutcherson. The shipping territory involved is situated in the area lying between Porterville and Tipton. From most points in this territory, the established minimum rate is 29 cents per 100 pounds. The points specifically involved in this application are Cotton Center and an unnamed point one-half mile east thereof. The minimum rate from these points is 32 cents per 100 pounds. Applicant seeks authority to apply the 29-cent rate therefrom.

The verified application shows that the above-described difference in minimum rates reflects the greater mileages formerly involved in transportation from the Cotton Center Area; and that subsequent to the establishment of the rates in question a new highway was built resulting in mileages from the Cotton Center Area the same as or lower than those from other points in the same general territory.

Competing carriers and shippers have been notified of the filing of this application. No objection has been offered to its being granted.

It appears that in the circumstances the proposed rate is reasonable. The application will be granted. A public hearing is not necessary.

Because the conditions under which the transportation is performed may change at any time, the authority will be limited to a one-year period. As the shipping season is in progress, the order herein will be made effective three days after the date thereof.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that E. M. Tharp be and he is hereby authorized to observe a rate of not less than 29 cents per 100 pounds, minimum weight 24,000 pounds, for the transportation of potatoes, in sacks, from Cotton Center to Los Angeles for C. U. Baugher, doing business as Tule River Produce, and from a point one-half mile east of Cotton Center to Los Angeles for H. H. Hutcherson; and that this authority 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 three (3) days after the date hereof.

Dated at San Francisco, California, this 19th day of December, 1950.

R. F. Anderson
Justice F. G. Allen
Harold P. Hall
Harold P. Hall
Harold P. Hall
Commissioners