

ORIGINAL

Decision No. 46368

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
MERCHANTS EXPRESS CORPORATION, a)	
corporation, for authority to estab-)	Application No. 32735
lish joint rates with WALTER F. PETERS)	
and MYRON D. PETERS, a partnership,)	
doing business as PETERS TRUCK LINES.)	

OPINION AND ORDER

Applicants are highway common carriers of general commodities. Merchants Express Corporation operates in the territory generally bounded by Healdsburg, Calistoga, Redding, Sacramento, Stockton, Livermore and San Jose. Peters Truck Lines operates between San Francisco, East Bay points and Sacramento, on the one hand, and Castella and points north, on the other hand, including Dunsmuir, Fort Jones, Weed and Yreka. By this application Merchants and Peters seek authority under Section 1066 of the Public Utilities Code to establish joint rates between points served by Merchants, excluding San Francisco, East Bay points and Sacramento, and points Castella and north served by Peters.

The rates proposed to be established are the same as the minimum class rates named in Highway Carriers' Tariff No. 2, except that rates equivalent to the 5th class through Class E truckload rates of Tariff No. 2 would not be maintained. Authority is also sought to depart from the long and short haul provisions of the Constitution and of the Public Utilities Act to the extent necessary to establish the proposed rates.

Service over applicants' lines between the points involved is now subject to combinations of their local rates. These combination rates, applicants represent, are unreasonably high. They assert that establishment of the sought basis would adjust their rates to reasonable levels and would enable them to provide expeditious and economical service.

Competing carriers have been notified of the filing of the application. No objections have been received.

It appears that the establishment of joint rates as proposed is not adverse to the public interest and is justified. The application will be granted. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that applicants be and they are hereby authorized, within sixty (60) days after the effective date of this order, to establish the joint through highway common carrier rates proposed in the above-entitled application and to depart from the provisions of Article XII, Section 21 of the Constitution of the State of California and Section 460 of the Public Utilities Code to the extent necessary to establish the rates authorized herein.

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

Dated at San Francisco, California, this 30th day of October, 1951.

[Signature]
President
[Signature]
[Signature]
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Commissioners