

Decision No. 47007

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
into the rates, rules, regulations,)
charges, allowances and practices)
of all common carriers, highway)
carriers and city carriers relating)
to the transportation of property.)

Case No. 4808

ORIGINAL

SUPPLEMENTAL OPINION AND ORDER

Decision No. 45400, in this proceeding (50 Cal.P.U.C. 467 (1951)), established an interim increase of 15 percent in the minimum rates for the transportation of property in dump trucks in northern California. The decision noted that studies essential to adjustment of these rates on other than an interim basis were in progress. It recognized that further consideration of dump truck rates was highly desirable and urged that these studies be completed promptly. Additional evidence was submitted at an adjourned public hearing held January 9, 1952, before Examiner Mulgrew. At the request of the parties the matter was continued to April 21, 1952, for further hearing.

By petition, filed April 3, 1952, Miles and Sons Trucking Service, California Trucking Service, Inc., Lindeman Bros., Standard Freight Lines, Inc., and Pacific Coast Aggregates, Inc., ask that transportation service provided by hopper bottom dump trucks be excluded from proposed minimum rates and that the matter of such rates be set for further hearing.

Petitioners contend that the competitive factors influencing rates are dissimilar in the case of hopper bottom trucks as contrasted with so-called "conventional" dump trucks. They assert that there are relatively few operators of hopper type dump trucks; that these trucks have greater weight carrying capacity; that the services provided by

the two types are dissimilar; that the hopper trucks are used almost exclusively in the movement of materials from producing areas to wholesale or retail yards; and that use factors for the two types of vehicles differ greatly.

Copies of the petition were served on all of the parties of record. No answer has been filed.

The sought exclusion of hopper type truck transportation from proposed minimum rates, if granted, would give the operators of such equipment a competitive advantage over the operators of the so-called "conventional" type dump trucks. Rates for transportation with both types of equipment should be considered together. The hearing scheduled for April 21 has, therefore, been temporarily removed from the hearing calendar to be rescheduled when the parties advise the Commission of their readiness to proceed.

The petition of Miles and Sons and others, filed April 3, 1952, will be denied.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the above referred to petition be and it is hereby denied.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 14th day of April, 1952.

President

Justin F. Crasman

Harold P. Hule

Herbert Pottel

John E. Mitchell

Commissioners