

ORIGINAL

Decision No. 47704

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
JOE CASELLA, an individual doing)	
business as CASELLA LUMBER TRANS-)	
PORTATION CO., for authority to)	Application No. 33702
charge less than minimum rates)	
under the provisions of Section)	
3666 of the Public Utilities Code.)	

OPINION AND ORDER

Applicant holds a highway contract carrier permit. He transports lumber for the Aborigine Lumber Company. The lumber company recently completed the construction of its sawmill located approximately four miles south of Fort Bragg. The construction of a planing mill adjacent to the sawmill has not yet been completed. Meanwhile, rough lumber is being shipped to Boonville for planing. The finished lumber is reforwarded to points south of Boonville, mainly to San Francisco Bay area points. Applicant seeks authority to assess the minimum rates named in Item No. 690 series of Highway Carriers' Tariff No. 2 for the through transportation involved. The stop for planing at Boonville is proposed to be limited to one hour. The authority is requested for a 120-day period only.

Applicant represents that the sawmill and the planing mill were to be completed at the same time but the completion of the planing mill was delayed by shortages of materials, principally shortage of steel resulting from the steel strike. He states that the practical operating route from Fort Bragg to the San Francisco Bay area and other points involved is via Boonville; that his drivers make a meal stop at Boonville; that the planing mill personnel unload the rough lumber, plane it and load the finished lumber on the truck while the driver is eating; and that thus no

additional expense is incurred as a result of the stop for planing. He further states that the lumber company will either lease or purchase its own equipment to perform the transportation service in question if the through rates from Fort Bragg are not made applicable as proposed. The sought authority is needed only for the period until the Fort Bragg planing mill is completed. No deviation from the minimum rates is proposed if the stop at Boonville exceeds one hour or if the finished lumber loaded on applicant's equipment unit at Boonville is not that planed from the rough lumber unloaded from the same unit on the same trip.

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

In the circumstances it appears that the sought temporary deviation from the minimum rates should be granted. In the particular circumstances prevailing here the proposed rates are reasonable. As operations are already underway, the order herein will be made effective immediately. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Joe Casella, doing business as Casella Lumber Transportation Co., be and he is hereby authorized to transport lumber from the Aborigine Lumber Company's sawmill situated near Fort Bragg to points south of Boonville at rates no lower than the minimum rates named in Item No. 690 series of Highway Carriers' Tariff No. 2 for the through distance from the sawmill site to point of destination without additional charge for a stop of not to exceed one hour at Boonville for planing.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall not apply if the stop at Boonville exceeds one hour,

or if the planed lumber loaded on applicant's equipment unit at Boonville is other than that planed from the rough lumber unloaded from the same unit on the same trip.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire one hundred and twenty (120) days after the date hereof unless sooner canceled, changed or extended by order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 16th day of September, 1952.

R. J. [Signature]
President
Justin J. [Signature]
Harold [Signature]
[Signature]
Commissioners