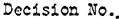
A. 34515 pc

48858



ORIGINAL

BLFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of W. M. Wright, doing business as WRIGHT TRUCKING CO., and BEN TYRRELL, doing business as TYRRELL TRANSPORTATION CO., for authority to charge less than minimum rates potatoes and onions.

Application No. 34515

## OPINION AND ORDER

Applicants hold radial highway common carrier and highway contract carrier permits. By this application, as amended, they seek authority to deviate from the established minimum rates named in Highway Carriers' Tariff No. 8 for the transportation of potatoes and onions in sacks and crates from packing sheds within 30 miles of Stockton to rail cars and connecting truck lines for loading. This transportation is performed for certain named shippers during the period July to November.<sup>1</sup>

The proposed rates are to be subject to a minimum weight of 36,000 pounds and to apply to distances up to 30 miles.<sup>2</sup> They range from 46 to 70 percent of the applicable minimum rates subject to a minimum weight of 24,000 pounds.

Applicants state that the potatoes are shipped in 100pound sacks and 110-pound crates, and the onions are shipped in 50pound sacks and 100-pound crates. They propose to charge rates two cents per 100 pounds higher for shipments in the 50-pound sacks than the rates for shipments in the 100-pound sacks and crates and 110pound crates, due to the additional handling and cost involved.

Applicants state that the shipping season for these commodities begins August 1 and request that the proposed rates be made effective on that date.

The verified application alleges that the present rates are unreasonably high for this service and that operations under the

<sup>1</sup>The shippers involved are listed in Appendix "A" hereof. <sup>2</sup>The proposed rates are set forth in Appendix "A" hereof.

-1-

proposed rates will be profitable. It further states that the transportation involved accounts for approximately 40 percent of applicants' business, and that if the sought relief is not granted, this transportation will be lost to proprietory operations.

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

In the circumstances it appears that this is a matter in which a public hearing is not necessary and that the proposed rates are reasonable. Because the conditions under which the proposed service is rendered may change at any time, the authority will be limited to a one-year period. Since the shipping season for these commodities begins August 1, the order herein will be made effective on that date.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that W. M. Wright, doing business as Wright Trucking Co., and Ben Tyrrell, doing business as Tyrrell Transportation Co., be and each of them is hereby authorized to assess rates less than the applicable minimum rates set forth in Highway Carriers' Tariff No. 8 (Appendix "C" to Decision No. 33977 as amended) but not less than those set forth in Appendix "A" attached hereto and by this reference made a part hereof for the shippers and transportation named therein.

-2-

## A. 34515 pc

Appendix "A" to Decision No. <u>48858</u>

Authorized rates for the transportation of potatoes and onions in sacks and crates from packing sheds to rail cars and connecting truck lines for loading. These rates apply only on shipments having points of origin and destinations within 30 miles of or in Stockton.

## Minimum Truckload Weight 36,000 Pounds

Constructive <u>Miles</u> Over Not Over	Potatoes and or Onions in 100-pound sacks or crates or 110-pound crates (Cents per 100 lbs.)	Onions in 50-pound sacks (Cents per 100 lbs.)
<u> </u>	7	9
5 - <u>1</u> 0	ģ	11
10 - 20	10	12
20 - 25	11	13
25 - 30	12	14

The authority herein granted to W. M. Wright, doing business as Wright Trucking Co., is limited to shipments transported for the following shippers:

> W. E. McGillvary Co. Boyd Unruh R. W. Winter Co. Mort Brown Potato & Onion Distributing Co. Risso Nelson McDonald Island Farms Zukerman Farms Co. Ben Vogel & Sons Powell Ranch Co.

The authority herein granted to Ben Tyrrell, doing business as Tyrrell Transportation Co., is limited to shipments transported for the following shippers:

> F. J. Campodonico Ritter & Price Co. B. W. Ferguson John R. Hansen Co. Leon Hersh W. J. Flynn Sam Lee Wong Jean Toy Nam Rudy Stepich George Shima

> > END OF APPENDIX

A. 34515 eo

IT IS HEREBY FURTHER ORDERED that the authority herein granted 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 August 1, 1953. Dated at San Francisco, California, this <u>2/47</u> day of July, 1953.

231011 PAILE

Commissioners