

Decision No. 50766

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of Merchants Express Corporation)	
and Clayton C. Koons, d.b.a.)	Application No. 35625
Stapel Truck Lines to establish)	
joint rates and routes.)	

OPINION AND ORDER

Applicants are highway common carriers of general commodities. Merchants Express Corporation operates in the territory generally bounded by Healdsburg, Calistoga, Redding, Oroville, Marysville, Stockton, Salinas and Monterey. Stapel Truck operates between San Francisco, Emeryville and Oakland, on the one hand, and Walnut Creek, Concord, Antioch and intermediate points, on the other hand. By this application, as amended, authority is sought to establish, on less than statutory notice, through service, through routes and joint rates between points as set forth in the application. Authority is also sought to depart from the long-and-short-haul provisions of the Constitution and of the Public Utilities Code to the extent necessary to establish the joint rates. The freight would be interchanged at Oakland.

The proposed rates are on the same level as the minimum rates named in Minimum Rate Tariff No. 2. Service over applicants' lines between the points involved is now subject to combinations of their local rates. These combination rates are higher than the proposed joint rates. Applicants represent that it will be advantageous to the public to be able to make through shipments over their lines under the lower rates. They point out that the rates sought to be published are those established as the minimum rates

between the points involved and that competing carriers have heretofore been granted like authority.

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

It appears that the establishment of through service, through routes and joint rates, on five days' notice, as proposed, is not adverse to the public interest and should be authorized. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that applicants be and they are hereby authorized to establish on not less than five days' notice to the Commission and the public the through service, through routes and joint rates proposed in the above-entitled application, as amended, 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.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire unless the authorized rates are made effective within sixty days after the effective date of this order.

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

Dated at San Francisco, California, this 16th day of November, 1954.

Peter E. Northrup
President
JUSTICE F. CALLES
Walter Roggens
Roy G. Luter

Commissioners