

Decision No. 50767

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
KELLOGG EXPRESS AND DRAYING CO., a )  
corporation, and DELTA LINES, INC., )  
a corporation, for authorization to )  
publish joint rates. )

Application No. 35685

OPINION AND ORDER

Applicants are highway common carriers of general commodities. Kellogg Express and Draying Company operates in the San Francisco Bay area. Delta Lines, Inc., operates generally between San Francisco Bay points, Sacramento, Stockton, Jackson, Placerville, Chico and intermediate points, and between these points and points on U. S. Highway 99 from Stockton to and including Turlock, on the one hand, and Los Angeles territory, on the other hand. By this application authority is sought to establish, on less than statutory notice, through service, through routes and joint rates. 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 San Francisco, Oakland or Vallejo.

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 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 16<sup>th</sup> day of November, 1954.

  
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President  
  
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Commissioners