

Decision No. 51734

ORIGINAL

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 Fresh or Green Fruits and Vegetables)
and Related Items (Commodities for Which)
Rates are Provided in Minimum Rate)
Tariff No. 8).)

Case No. 5438
(Petition No. 9)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 50647 of October 13, 1954, in this proceeding, exempted, on an interim basis, the transportation of fresh fruits and vegetables in interstate and foreign commerce from the minimum rates contained in Minimum Rate Tariff No. 8.

By this petition, W. M. Wright, doing business as Wright Trucking Co., and Ben Tyrrell, doing business as Tyrrell Transportation Co., seek removal of the exemption insofar as it concerns the transportation of potatoes and onions. They also seek the establishment of special commodity rates applicable to potatoes and onions shipped from packing sheds located within 40 constructive highway miles of Stockton to rail cars and connecting truck lines for loading. The shipments would be subject to a minimum weight of 36,000 pounds. The present minimum weight provided in the tariff is 24,000 pounds.

Petitioners assert that as a result of Decision No. 50647 they are threatened with destructive competition in the Stockton Delta area and between that area and San Francisco Bay area points from carriers who allegedly are offering rates on shipments moving in interstate or foreign commerce which will not return the cost of the service.

The special commodity rates proposed to be established in Minimum Rate Tariff No. 8 are those which the petitioners have been

authorized to assess for certain specified shippers, under authority of Section 3666 of the Public Utilities Code.¹ These rates were authorized on the basis of cost studies which showed them to be reasonable. Current studies of the transportation within the Stockton Delta area and between that area and the San Francisco Bay area points have been made by the Commission's staff. The staff studies indicate that the rates proposed for the Delta area and to the San Francisco Bay points reasonably reflect the cost of providing the service and other characteristics of the traffic. The Transportation Division recommends the granting of the petition. ✓
✓
✓
✓

Interested parties have been notified of the filing of the petition. No objection has been received to its being granted.

In the circumstances it appears that the proposed adjustments will result in reasonable minimum rates for the Stockton Delta transportation hereinbefore discussed. However, removal of the exemption on interstate movements other than from the Stockton Delta area to San Francisco Bay area points and within the Stockton area has not been justified. The removal of the exemption will be so limited. A public hearing is not necessary. The petition will be granted to the extent indicated above. ✓
✓

The tariff changes will be made effective on August 10, 1955, the earliest date which will permit printing and service of the order.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Minimum Rate Tariff No. 8 (Appendix "C" to Decision No. 33977 as amended), be and it is hereby further amended by incorporating therein, to become effective August 10, 1955, Supplement No. 10 Cancels Supplement No. 9 and Seventh Revised Page 36 Cancels Sixth Revised Page 36, which supplement and revised page are attached hereto and by this order made a part hereof.

¹See Decision No. 48858 of July 21, 1953, as amended, in Application No. 34515. That authority is scheduled to expire August 1, 1955.

(2) That tariff publications required or authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the effective date hereof, on not less than two days' notice to the Commission and to the public; and that such required tariff publications shall be made effective not later than August 10, 1955.

(3) That in all other respects the aforesaid Decision No. 33977, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 26th day of July, 1955.

Justin J. Conner
President
Raymond L. ...
...
...
Commissioners

SUPPLEMENT NO. 10
(Cancels Supplement No. 9)

To

MINIMUM RATE TARIFF NO. 8
(Formerly Highway Carriers' Tariff No. 8)

Naming

MINIMUM RATES, RULES AND REGULATIONS

For The

TRANSPORTATION OF FRESH FRUITS, FRESH

VEGETABLES AND EMPTY CONTAINERS OVER

THE PUBLIC HIGHWAYS BETWEEN POINTS

IN THE STATE OF CALIFORNIA AS

DESCRIBED HEREIN

BY

RADIAL HIGHWAY COMMON CARRIERS

AND

HIGHWAY CONTRACT CARRIERS

TEMPORARY COMMODITY EXEMPTION

*(Does not apply on potatoes and onions for which
rates are provided in Items Nos. 345 and 350)
Expires with October 31, 1955

Item No. 40 is temporarily amended by the addition of the
following exemption:

Rates, rules and regulations named in this tariff
will not apply on commodities moving in interstate or
foreign commerce between points in California to the
extent such commodities are exempt from rate regulation
by the Interstate Commerce Commission under the provi-
sions of Section 203(b)(6) of the Interstate Commerce
Act.

* Change, Decision No. 51734

EFFECTIVE AUGUST 10, 1955

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California

Seventh Revised Page 36

Cancel

Sixth Revised Page 36

MINIMUM RATE TARIFF NO. 8

Item No.	SECTION NO. 2 - POINT TO POINT COMMODITY RATES (In Cents per 100 Pounds)		
	POTATOES (OTHER THAN SWEET POTATOES OR YAMS) AND ONIONS Minimum Weight 40,000 Pounds (See Note 2)		
	TO	Potatoes or Onions in 100-pound Sacks or Crates and 110-pound Crates	Potatoes or Onions in 50-pound Sacks or Less
		FROM Delta Producing Area (See Note 1)	FROM Delta Producing Area (See Note 1)
345	San Francisco and Oakland Sacramento San Jose Vallejo	25 16 21 23	27 18 23 25
	NOTE 1: Delta Producing Area includes Stockton and the following islands or tracts: King, Empire, Venice, Rindge, Terminous, Brack, McDonald, Manderville, Bacon and Roberts.		
	NOTE 2: Subject to Item No. 500.		
#8350	POTATOES (OTHER THAN SWEET POTATOES OR YAMS) AND ONIONS Minimum Weight 36,000 Pounds		
	From packingsheds (or growers) located within 40 constructive miles of or in Stockton to rail cars and truck lines, for loading, located within 40 constructive miles of or in Stockton		
	Miles	Potatoes and/or Onions in 100-pound sacks or crates or 110-pound crates	Onions in 50-pound sacks
	Over But Not Over		
	0 5	7	9
	5 10	8	10
	10 15	9	11
	15 20	10	12
	20 25	11	13
	25 30	12	14
	30 35	13	15
	35 40	14	16
# Addition o Reduction	Decision No. 51734		
EFFECTIVE AUGUST 10, 1955			
Issued by the Public Utilities Commission of the State of California, San Francisco, California.			
Correction No. 177			