

Decision No. 51768

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
J. Christenson Co., a corporation,) Application No. 37158
to increase rates and charges.)

OPINION AND ORDER

J. Christenson Co. is a highway common carrier specializing in the transportation of commodities which require refrigeration or temperature control in transit. For approximately six years it has maintained its published rates applicable to such commodities generally five percent higher than the rates named in Minimum Rate Tariff No. 2. By this application it seeks authority to establish a five percent surcharge on its rates comparable to that established in the minimum rates by Decision No. 51688 of July 18, 1955, in Case No. 5432, thereby maintaining the five percent differential over the minimum rates.

According to the application, the higher rate level is necessary to compensate for the additional costs of maintaining vehicles which are fully insulated and mechanically refrigerated with thermostatically actuated temperature control devices, and terminal facilities which include freezer rooms, cooler rooms and other special equipment. Applicant also states that it has, at substantial expense, developed and maintained a highly trained organization adept at handling its varying temperature control requirements.

Applicant points out that, except as to specified commodities moving in truckload quantities, no additional charges are provided in Minimum Rate Tariff No. 2 for handling shipments in refrigeration service.¹

¹ No increase above the minimum rates is proposed on traffic for which the Commission established special refrigeration charges by Decision No. 51606 of June 28, 1955, in Case No. 5432 (Pet. 40).

Authority is also requested for departure from the long and short haul provisions of the Constitution and the Public Utilities Code to continue such deviations as have been previously authorized, and from the provisions of General Order No. 80 to permit the publication of a supplement. Authority is also asked for an extension of time until seven days after the effective date of this order within which to comply with the requirement in Decision No. 51688 that common carrier rates be increased to the minimum level.

In view of the specialized nature of the transportation performed by applicant and the higher costs incurred by the use of specialized vehicles and terminal equipment, it appears, and the Commission finds, that the sought increase authority is justified. The application will be granted. A public hearing is not necessary. As the Decision No. 51688 increases were effective August 1, 1955, the order herein will be made effective immediately.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that J. Christenson Co., a corporation, be and it is hereby authorized to publish, on not less than two days' notice to the Commission and the public, a supplement to its Local Freight Tariff No. 1-A, Cal. P.U.C. No. 2, as proposed in the above-entitled application.

IT IS HEREBY FURTHER ORDERED that applicant be and it is hereby authorized 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 and from the provisions of General Order No. 80 to the extent necessary to carry out the effect of the order herein.

IT IS HEREBY FURTHER ORDERED that J. Christenson Co. be and it is authorized to defer the tariff publications required by

ordering paragraph No. (4) of Decision No. 51688 of July 18, 1955,
in Case No. 5432, until not later than seven days after the effective
date of this order.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 2nd day of
August, 1955.

John E. Mitchell
President
James J. O'Connell
Ronald Vintershiner
William J. Healy
Ed. Hardy
Commissioners