

Decision No. 51830

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
TED PETERS TRUCKING COMPANY, INC.,)	Application No. 37177
a corporation, to increase rates)	
and charges.)	

OPINION AND ORDER

Ted Peters Trucking Company, Inc., a corporation, is a highway common carrier of general commodities. Its tariff contains commodity rates applicable to dairy products, eggs and certain dried vegetables, which are commodities for which minimum rates have not been established by the Commission. By this application it seeks authority under Section 454 of the Public Utilities Code to establish a five percent surcharge on these rates comparable to that established in the minimum rates by Decision No. 51688 of July 18, 1955, in Case No. 5432, thereby maintaining the same relationship between its exempt commodity rates and the minimum class rates that applicant has had for approximately 6 years.¹

According to the application, the preponderance of the traffic transported by applicant consists of exempt commodities for which commodity rates lower than the corresponding class rates have been maintained. Applicant further states that it is faced with all of the increased operating costs which were disclosed at the hearings which preceded Decision No. 51688 authorizing the five percent increase in Minimum Rate Tariff No. 2, and that its service will be impaired unless the relief herein sought is granted.

Authority is also requested for departure from the long and short haul provisions of the Constitution and the Public Utilities

¹ Decision No. 51688 authorized common carriers to increase class rates applicable to exempt commodities but not commodity rates for this transportation.

Code to continue such deviations as have previously been authorized, and from the provisions of General Order No. 80 to permit the publication of a supplement. Authority is also sought to publish the increase supplement on two days' notice to the Commission and the public.

Upon consideration of all the circumstances herein involved, it appears, and the Commission finds, that the sought increase authority is justified. This is a matter in which a public hearing is not necessary. The application will be granted. As the Decision No. 51688 increases were effective August 1, 1955, the order herein will be made effective immediately.

Therefore, good cause appearing,

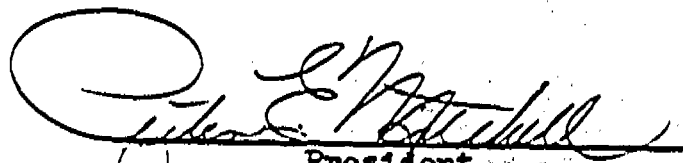
IT IS HEREBY ORDERED:


(1) That Ted Peters Trucking Company, Inc., 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, Cal.P.U.C. No. 2, increasing the commodity rates in Items Nos. 230, 250, 255 and 290 by five percent.


(2) 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.

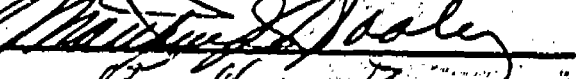
The effective date of this order shall be the date hereof.


Dated at San Francisco, California, this 16th day of August, 1955.



President








Commissioners