

Decision No. 51885

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 general)
commodities (commodities for which)
rates are provided in Minimum Rate)
Tariff No. 2).

Case No. 5432
(Pet. No. 68)

SUPPLEMENTAL OPINION AND ORDER

Since 1944 Direct Delivery Service, Ltd., a highway contract carrier, has been authorized to assess less than minimum rates for the transportation of diatomaceous earth in sacks, and empty sacks returning, between the plant of the Great Lakes Carbon Corporation at WALTERIA and the same company's warehouses at Torrance (Application No. 25585). Direct Delivery recently filed its eleventh supplemental application seeking continuance of this authority, but at an increased rate. The matter was set for hearing with other applications of the same applicant because Direct Delivery had been found to be the alter ego of Southern California Freight Lines, a highway common carrier, and Southern California Freight Forwarders, an express corporation.¹ The sought authority was denied by Decision No. 51876 of August 23, 1955, because the transportation involved was within the service area of Southern California Freight Lines.

Southern California Freight Lines and Southern California Freight Forwarders, by the petition herein, seek authority to publish the less than minimum rate in their tariff for the above-mentioned transportation. Petitioners point out that, although Decision No. 51876, supra, denied this authority to Direct Delivery Service, it found that the sought rates in themselves are reasonable.

¹Decision No. 51619 dated June 28, 1955, in Application No. 35927.

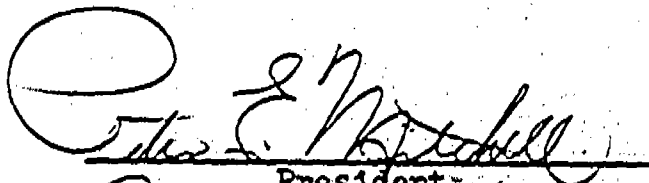
In the circumstances it appears, and the Commission finds, that the proposed rates are reasonable and justified by transportation conditions. A public hearing is not necessary. The petition will be granted. As the present authority held by Direct Delivery Service, Ltd., expires August 31, 1955, the order herein will be made effective immediately and petitioners will be authorized to publish the reduced rates on not less than two days' notice.

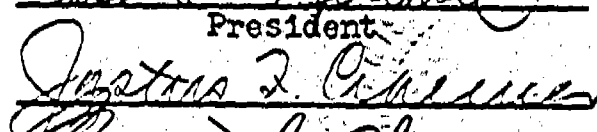
Therefore, good cause appearing,

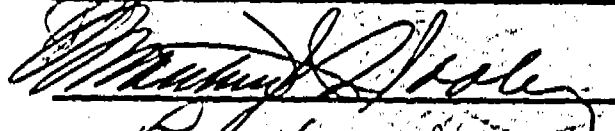
IT IS HEREBY ORDERED that Southern California Freight Lines and Southern California Freight Forwarders be and they are hereby authorized to publish and file, to expire one year after the effective date of this order, and to make effective on not less than two days' notice to the Commission and the public, a rate of 65 cents per ton for the transportation of diatomaceous earth in sacks, minimum weight 50,000 pounds per day the carrier's equipment is operated, and empty sacks returning, between Walteria and Torrance.

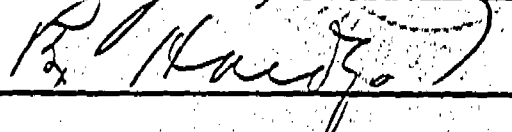
This order shall become effective on the date hereof.

Dated at San Francisco, California, this 30th day of August, 1955.



President






Commissioners