

ORIGINAL

Decision No. 51923

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
)	(Petition No. 69)
)	
)	
)	

SUPPLEMENTAL OPINION AND ORDER

Section 530 of the Public Utilities Code provides, among other things, that common carriers subject to Part 1 of the Code may transport free or at reduced rates, property for the United States, state, county or municipal governments. Amendments to Section 530, recently enacted to become effective September 7, 1955, remove the general right to transport property for governmental agencies free or at reduced rates subject to certain exceptions. Under the amendment, the Commission may permit common carriers to transport property at reduced rates for governmental agencies to such extent and subject to such conditions as it may consider just and reasonable.

J. P. Haynes, Agent for all rail carriers parties to Pacific Southcoast Freight Bureau Tariff No. 255-F, has petitioned on behalf of these carriers for authority to continue to assess and collect, for a period of 90 days, the reduced rates presently assessed by rail carriers for the transportation of property within California for the United States, state, county or municipal governments. Petitioner states that the rail carriers have outstanding and in effect some 50 reduced rate quotations which would not be valid, effective September 7, 1955, under the amended Section 530. It further asserts that these reduced rates, which are set forth in detail in an appendix to the petition, have been in effect for varying

periods of time ranging up to 12 years. Petitioner alleges that, if this petition is granted, during the 90-day period it will diligently present to the Commission separate applications and individual justification in greater detail respecting the reduced rate quotations it desires to maintain.

In the circumstances, it appears, and the Commission finds, that continued use of the existing rates will be just and reasonable during the 90-day period pending the filing of separate applications. A public hearing is not necessary. As the amendment to Section 530 becomes effective September 7, 1955, the order herein will be made effective immediately.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that all rail carriers parties to Pacific Southcoast Freight Bureau Tariff No. 255-F be and they are hereby authorized, for a period of 90 days from the effective date of this order, to charge and assess the reduced rates set forth in Appendix "A" to Petition No. 69, filed September 1, 1955, and amended September 2, 1955, in Case No. 5432. *added*

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

Dated at San Francisco, California, this 6th day of September, 1955.

John E. Mitchell
President

James J. Connelley
R. H. Harty

Commissioners