

Decision No. 51924**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Carl P. Kreifels, doing business as)
 Geneva Transfer and Drayage Co.,) Application No. 37219
 to increase rates and charges.)

OPINION AND ORDER

Carl P. Kreifels, doing business as Geneva Transfer and Drayage Co., is a highway common carrier specializing in the transportation of commodities which require refrigeration or temperature control in transit. For approximately four years he has maintained his published rates applicable to such commodities generally five percent higher than the rates named in Minimum Rate Tariff No. 2. By this application he seeks authority to establish a five percent surcharge on his 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 the special equipment and facilities necessary to perform the transportation in question. Applicant asserts that he has, at substantial expense, developed and maintained a highly trained organization adept at handling his varying temperature control requirements. He 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. Applicant states that all of his traffic consists of less-truckload shipments for which the cost of maintaining the proper temperature control is greater than that incurred on truckload shipments.

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 Carl P. Kreifels, doing business as Geneva Transfer and Drayage Co., be and he is hereby authorized to publish, on not less than two days' notice to the Commission and the public, a supplement to his Local Freight Tariff No. 1, Cal. P.U.C. No. 1, as proposed in the above-entitled application.

IT IS HEREBY FURTHER ORDERED that applicant be and he 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 Carl P. Kreifels, doing business as Geneva Transfer and Drayage Co., be and he is authorized

