

ORIGINAL

Decision No. 51954

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. 46)
(First Supplemental)

SUPPLEMENTAL OPINION AND ORDER

J. H. Devine and J. J. Devine, copartners doing business as Devine and Son Trucking Company, operate as a highway common carrier of lumber. By Decision No. 50537 of September 14, 1954, they were authorized to publish a rate lower than the established minimum rate for the transportation of lumber from Elk Creek (Glenn County) to Sacramento. The published rate of 18 cents per 100 pounds, minimum weight 40,000 pounds, expires September 14, 1955. Permission is sought to continue to maintain a rate lower than the minimum rate. Petitioners propose, however, to increase the authorized rate from 18 to 19 cents.

The petition states that, except for increased costs, the conditions which justified the publication of a rate lower than the minimum rate still obtain. It shows that the proposed increase in the authorized rate will offset the higher cost and that operations under the proposed rate may reasonably be expected to be profitable.

In the circumstances it appears, and the Commission finds, that the proposed rate is reasonable. A public hearing is not necessary. The supplemental petition will be granted. Because conditions may change, however, the authority will be made to expire at the end of one year. Inasmuch as the published rate expires

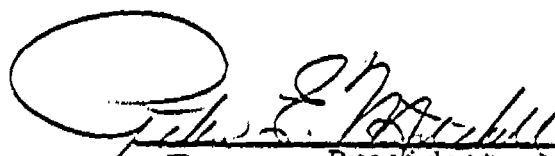
September 14, 1955, the order will be made effective immediately and the tariff filing will be authorized to be made on one day's notice.

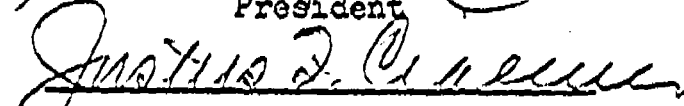
Therefore, good cause appearing,

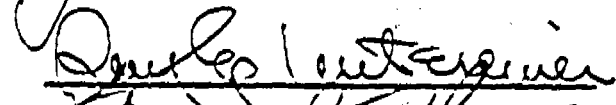
IT IS HEREBY ORDERED that J. H. Devine and J. J. Devine, copartners doing business as Devine and Son Trucking Company, be and they are hereby authorized, on not less than one day's notice to the Commission and to the public, to publish and file, to expire September 14, 1956, a rate of 19 cents per 100 pounds, minimum weight 40,000 pounds, for the transportation of lumber from Elk Creek to Sacramento.


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


Dated at San Francisco, California, this 13th day of September, 1955.



President








Commissioners