

Decision No. 52016**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	)	Case No. 5438
Transportation of Fresh or Green	)	(Petition No. 6)
Fruits and Vegetables and Related Items	)	
(Commodities for Which Rates are Pro-	)	
vided in Minimum Rate Tariff No. 8).	)	

SUPPLEMENTAL OPINION AND ORDER

Decision No. 50647 of October 13, 1954, exempted for a period of six months the rates, rules and regulations in Minimum Rate Tariff No. 8 applicable to fresh fruits and vegetables moving in interstate and foreign commerce between points in California.<sup>1</sup> The exemption was extended to October 31, 1955, by Decision No. 51309. This action was taken pending an investigation and study of transportation costs and other data pertaining to the handling of such traffic.

The Commission directed that public hearings be held to determine to what extent, if at all, the existing minimum rates should be modified for application to the interstate and foreign traffic herein involved. The Commission staff studies have been completed and the matter set for hearing on October 20, 1955. Meanwhile, the California Grape & Tree Fruit League has filed Petition No. 11 seeking an order permanently exempting fresh grapes and deciduous tree fruits from the provisions of Minimum Rate Tariff No. 8, when moving in interstate and foreign commerce.

<sup>1</sup> Motor vehicles used in carrying property consisting of agricultural commodities (not including manufactured products thereof) if such motor vehicles are not used in carrying any other property for compensation are exempted from rate regulation of the Interstate Commerce Commission by Section 203 (b) (6) of the Interstate Commerce Act.

The hearing on Petition No. 11 will be held concurrently with that of the Order Setting Hearing in Case No. 5438. It is expected that the hearings will be concluded and a decision reached by December 31, 1955. The temporary exemption will be extended to that time.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Minimum Rate Tariff No. 8 (Appendix "C" to Decision No. 33977) be and it is hereby further amended by incorporating therein, to become effective October 31, 1955, Supplement No. 11 Cancels Supplement No. 10, attached hereto and by this reference made a part hereof.

In all other respects said Decision No. 33977, as amended, shall remain in full force and effect.

This order shall become effective October 31, 1955.

Dated at San Francisco, California, this 4<sup>th</sup> day of October, 1955.

John E. Mitchell  
President

James J. Cassel

Ray E. Vinters

Walter D. Hooley

B. Hardy

Commissioners

SUPPLEMENT NO. 11  
(Cancels Supplement No. 10)

To  
MINIMUM RATE TARIFF NO. 8

Naming  
MINIMUM RATES, RULES AND REGULATIONS  
For The  
TRANSPORTATION OF FRESH FRUITS, FRESH  
VEGETABLES AND EMPTY CONTAINERS OVER  
THE PUBLIC HIGHWAYS BETWEEN POINTS  
IN THE STATE OF CALIFORNIA AS  
DESCRIBED HEREIN  
BY  
RADIAL HIGHWAY COMMON CARRIERS  
AND  
HIGHWAY CONTRACT CARRIERS

TEMPORARY COMMODITY EXEMPTION

(Does not apply on potatoes and onions for which  
rates are provided in Items Nos. 345 and 350)

\*Expires with December 31, 1955

Item No. 40 is temporarily amended by the addition of the  
following exemption:

Rates, rules and regulations named in this tariff  
will not apply on commodities moving in interstate or  
foreign commerce between points in California to the  
extent such commodities are exempt from rate regulation  
by the Interstate Commerce Commission under the provi-  
sions of Section 203(b)(6) of the Interstate Commerce  
Act.

\* Change, Decision No. 52016 .

EFFECTIVE OCTOBER 31, 1955

Issued by the  
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
State Building, Civic Center  
San Francisco, California