

Decision No. 52319**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	)	Case No. 5438
and City Carriers Relating to the	)	(Order Setting Hearing
Transportation of Fresh or Green	)	dated August 31, 1954
Fruits and Vegetables and Related	)	and Petition No. 11)
Items (Commodities for Which Rates	)	
are Provided in Minimum Rate Tariff	)	
No. 8).	)	

SUPPLEMENTAL OPINION AND ORDER

Decision No. 50647 of October 13, 1954, temporarily exempted from the rates, rules and regulations in Minimum Rate Tariff No. 8 the transportation of fresh fruits and vegetables moving in interstate and foreign commerce between points in California.<sup>1</sup> By subsequent decisions (Decisions Nos. 51309 and 52016) the exemption has been extended through December 31, 1955, pending an investigation and study of the costs and other data pertaining to such transportation.<sup>2</sup>

Said investigation and study have been made and public hearings have been held thereon. Also, public hearings have been held on Petition No. 11 in this proceeding, filed by the California Grape & Tree Fruit League seeking the permanent exemption of interstate transportation of fresh grapes and deciduous tree fruits from

1

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

2

The exemption currently in effect does not apply to potatoes and onions.

the provisions of Minimum Rate Tariff No. 8. It appears that decision in the matters involved may not become effective before expiration of the present temporary exemption. The temporary exemption will be further extended to March 14, 1956:

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 January 1, 1956, Supplement No. 13 Cancels Supplement No: 11, attached hereto and by this reference made a part hereof.

IT IS HEREBY FURTHER ORDERED that in all other respects said Decision No: 33977, as amended, shall remain in full force and effect.

This order shall become effective January 1, 1956:

Dated at San Francisco, California, this 5<sup>th</sup> day of December, 1955.

[Signature]  
President  
Justice J. Calmes  
Paul Westerman  
Mustang J. Kelly  
[Signature]  
Commissioners

SUPPLEMENT NO. 13  
(Cancels Supplement No. 11)

(Supplements 12 and 13 Contain All Changes)

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

CITY CARRIERS  
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 March 14, 1956

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 provisions of Section 203(b)(6) of the Interstate Commerce Act.

\* Change, Decision No. 52319

EFFECTIVE JANUARY 1, 1956

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