

ORIGINAL

Decision No. 53519

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 Fresh or Green)
Fruits and Vegetables and Related)
Items (Commodities for Which Rates)
are Provided in Minimum Rate Tariff)
No. 8).)

Case No. 5438
(Order Setting Hearing
dated August 31, 1954
and Petition No. 11)

INTERIM 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.¹ By subsequent decisions (Decisions Nos. 51309, 52016, 52319, 52723 and 52975) the exemption has been extended through August 15, 1956, pending an investigation and study² of the costs and other data pertaining to such transportation.

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 the provisions of Minimum Rate Tariff No. 8. It appears that a decision in the matters involved may not become effective before expiration of the present temporary exemption. The temporary exemption will be further extended to December 15, 1956.

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.

C. 5438-AMS

Therefore, good cause appearing,

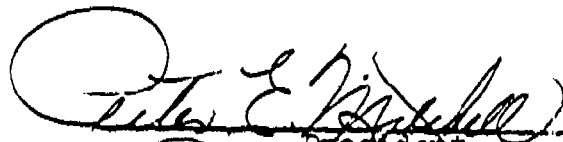
IT IS HEREBY ORDERED that Minimum Rate Tariff No. 8 (Appendix "C" to Decision No. 33977) be and it is hereby further amended by incorporating therein, to become effective August 15, 1956, Supplement No. 16 Cancels Supplement No. 15, attached hereto and by this reference made a part hereof.

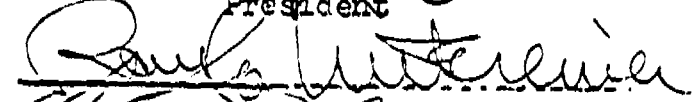
IT IS HEREBY FURTHER ORDERED that in all other respects said Decision No. 33977, as amended, shall remain in full force and effect.

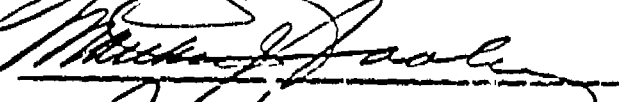
This order shall become effective August 15, 1956.

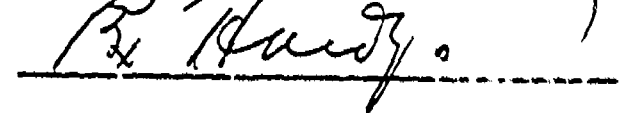
Dated at San Francisco, California, this 31st day of

July, 1956.



President






Commissioners

SUPPLEMENT NO. 16
(Cancels Supplement No. 15)

(Supplements 12 and 16 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 December 15, 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 Commis-
sion under the provisions of Section 203(b)(6) of the Interstate
Commerce Act.

*Change, Decision No. 53519

EFFECTIVE AUGUST 15, 1956

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