

ORIGINAL

Decision No. 53557

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
Kings County Truck Lines, a corpora-)	
tion, to increase class rates for)	Application No. 38243
the transportation of articles)	
requiring refrigeration.)	

OPINION AND ORDER

Kings County Truck Lines is a highway common carrier specializing in the transportation of commodities which require refrigeration or temperature control in transit. It has maintained its published rates applicable to such commodities generally five percent higher than the rates named in Minimum Rate Tariff No. 2, except on those for which special refrigeration charges are provided in the minimum rates. By this application, as amended, it seeks authority to establish surcharge increases on its rates comparable to those established in the minimum rates by Decision No. 52971 of April 24, 1956, in Case No. 5432, thereby maintaining the five percent differential over the minimum rates.

According to the application, as amended, the higher rate level is necessary to compensate for the additional cost of maintaining special equipment and facilities necessary to perform the service. Applicant states that, the increased costs of operation which resulted in the increases authorized in Decision No. 52971, supra, apply to articles transported under refrigeration to the same degree as that found to be the case in connection with

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articles not requiring refrigeration.

¹ No increase above the minimum rates is proposed on traffic for which the Commission established special refrigeration charges by Decision No. 51606 of June 28, 1955, in Case No. 5432(Pet.40).

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Authority is also required 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 to its loose-leaf tariff. Authority is also sought to publish the increase supplement on less than statutory notice.

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 increases established under Decision No. 52971 became effective May 15, 1956, the order herein will be made effective immediately.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Kings County Truck Lines, a corporation, be and it is hereby authorized to publish, on not less than two days' notice to the Commission and the public, a supplement to its Local Freight Tariff No. 1, Cal. P.U.C. No. 1, as proposed in the above-entitled application.

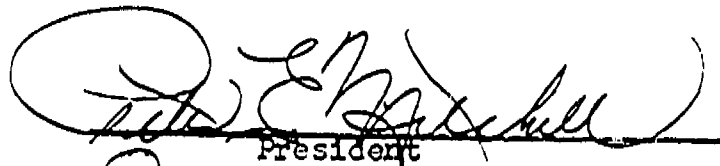
(2) That applicant be and it is hereby authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California and Section 460 of the Public Utilities Code and from the provisions of General Order No. 80 to the extent necessary to carry out the effect of the order herein.

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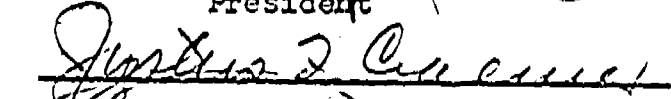
(3) That the authority herein granted shall expire unless exercised within sixty days after the effective date of this order.

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

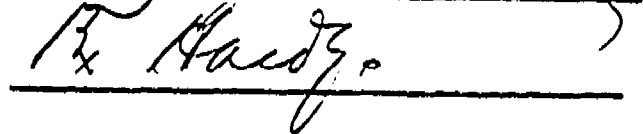
Dated at San Francisco, California, this 27th day of August, 1956.



President







Commissioners