

ORIGINAL

Decision No. 53607

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
(Petition for Modification No. 13)

OPINION AND ORDER

Minimum rates, rules and regulations for the transportation of fresh fruits and vegetables are set forth in Minimum Rate Tariff No. 8. Pursuant to petitions filed by W. M. Wright, doing business as Wright Trucking Co., and Ben Tyrrell, doing business as Tyrrell Transportation Co., commodity rates for the transportation of potatoes and onions within the area around Stockton and from the Delta Producing Area were established.¹

By this petition, Wright Trucking Lines, Inc., (successor to W. M. Wright) and Ben Tyrrell ask that the special commodity rates be amended by adding a restrictive rule providing that "rates of inland water common carriers shall not be applied in lieu of the rates provided in this item." Petitioners point out that, under the alternative application provisions of the tariff, common carrier rates, except rates of coastwise common carriers by vessels, may be applied in lieu of the rates provided in the tariff. According to petitioners, certain inland water carrier rates for the transportation

¹ These rates were established by Decision No. 50384 of August 10, 1954, and by Decision No. 51734 of July 26, 1955. The Delta Producing Area includes Stockton and the following islands or tracts: King, Empire, Venice, Rinage, Terminus, Brack, McDonald, Mandeville, Bacon and Roberts. The rates are in Items Nos. 345 and 350 of the tariff.

of potatoes and onions between the points herein involved are published at a level lower than those provided in Minimum Rate Tariff No. 8. Petitioners allege that the inland vessel carriers involved have not performed any such transportation of potatoes and onions within the last ten years, and that these rates are used only by itinerant truckers as a means of avoiding assessing the rates in Minimum Rate Tariff No. 8. Petitioners also allege that this practice will jeopardize the operations of the regular carriers in the area and, in the long run, will harm the public.

Petitioners point out that the special commodity rates in Minimum Rate Tariff No. 8 were established on the basis of studies made by the Commission's staff and were determined to be reasonable minimum rates for the transportation of potatoes and onions by motor vehicles between the points involved.

Interested parties have been notified of the filing of the petition. No objection to its being granted has been offered.

This is a matter in which a public hearing is not necessary. It appears that the public interest will be served by restricting the application of the potato and onion rates as sought by petitioner. The petition will be granted. As the shipping season is imminent, the tariff changes will be made effective September 4, 1956, the earliest date which will permit printing and service of the order.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Minimum Rate Tariff No. 8 (Appendix "C" to Decision No. 33977 as amended) be and it is hereby further amended by incorporating therein, to become effective September 4, 1956, Eighth Revised Page 36 Cancels Seventh Revised Page 36, 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 ten days after the date hereof.

Dated at San Francisco, California, this 21 day of August, 1956.

President

James F. Adams

Raymond J. Winter

R. Hardy

Commissioners

Item No.	SECTION NO. 2 - POINT TO POINT COMMODITY RATES (In Cents per 100 Pounds)																																										
	POTATOES (OTHER THAN SWEET POTATOES OR YAMS) AND ONIONS Minimum Weight 40,000 Pounds (See Notes 2 and 3)																																										
	TO	Potatoes or Onions in 100-pound Sacks or Crates and 110-pound Crates	Potatoes or Onions in 50-pound Sacks or Less																																								
		FROM Delta Producing Area (See Note 1)	FROM Delta Producing Area (See Note 1)																																								
*345-A Cancels 345	San Francisco and Oakland Sacramento San Jose Vallejo	25 16 21 23	27 18 23 25																																								
	NOTE 1: Delta Producing Area includes Stockton and the following islands or tracts: King, Empire, Venice, Rindge, Terminous, Brack, McDonald, Mandeville, Bacon and Roberts. NOTE 2: Subject to Item No. 500. #NOTE 3: Rates of inland water common carriers shall not be applied in lieu of the rates provided in this item (Exception to Items Nos. 210, 220, 230 and 240).																																										
	POTATOES (OTHER THAN SWEET POTATOES OR YAMS) AND ONIONS Minimum Weight 36,000 Pounds (See Note 1)																																										
	From packingsheds or growers located within 40 constructive miles of or in Stockton to rail cars and truck lines, for loading, located within 40 constructive miles of or in Stockton																																										
*350-A Cancels 350	<table border="1"> <thead> <tr> <th colspan="2">Miles</th> <th>Potatoes and/or Onions in 100-pound sacks or crates or 110-pound crates</th> <th>Onions in 50-pound sacks</th> </tr> <tr> <th>Over</th> <th>But Not Over</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>0</td> <td>5</td> <td>7</td> <td>9</td> </tr> <tr> <td>5</td> <td>10</td> <td>8</td> <td>10</td> </tr> <tr> <td>10</td> <td>15</td> <td>9</td> <td>11</td> </tr> <tr> <td>15</td> <td>20</td> <td>10</td> <td>12</td> </tr> <tr> <td>20</td> <td>25</td> <td>11</td> <td>13</td> </tr> <tr> <td>25</td> <td>30</td> <td>12</td> <td>14</td> </tr> <tr> <td>30</td> <td>35</td> <td>13</td> <td>15</td> </tr> <tr> <td>35</td> <td>40</td> <td>14</td> <td>16</td> </tr> </tbody> </table>			Miles		Potatoes and/or Onions in 100-pound sacks or crates or 110-pound crates	Onions in 50-pound sacks	Over	But Not Over			0	5	7	9	5	10	8	10	10	15	9	11	15	20	10	12	20	25	11	13	25	30	12	14	30	35	13	15	35	40	14	16
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* Change)
Addition) Decision No. 53607

EFFECTIVE SEPTEMBER 4, 1956

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 180