

Decision No. 53698

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 transportation of general)
commodities (commodities for which)
rates are provided in Minimum Rate)
Tariff No. 2).)

Case No. 5432
(Pet. No. 68)
(First Supplemental)

INTERIM SUPPLEMENTAL OPINION AND ORDER

Southern California Freight Lines, a highway common carrier, and Southern California Freight Forwarders, an express corporation, by Decision No. 51885 of August 30, 1955, in this proceeding, were authorized to publish rates lower than the established minimum rates for the transportation of diatomaceous earth, in sacks, and empty sacks returning, between Walteria and Torrance, a distance of approximately 6.7 miles round trip. The published rate of 65 cents per ton, minimum weight 50,000 pounds per day the carrier's equipment is operated, expires August 30, 1956. By this supplemental petition, permission is sought to continue to publish less than minimum rates but to reduce the authorized rate to 55.1 cents per ton.

The supplemental petition states that, except for increased drivers' wages and welfare payments, the conditions which justified publication of rates lower than the minimum rates still obtain. It states that these cost increases have been offset by greater reductions in other costs. A cost study submitted with the supplemental petition shows that the proposed rates would return full costs and make provision for a profit.

Minimum rates established by this Commission may not exceed the current rates of common carriers by land (Public Utilities Code, Sec. 3663). Accordingly, reduced rates authorized for and published by the petitioners herein become the minimum rates for all carriers. There is now in issue in other pending proceedings the question whether, or under what circumstances, minimum rates between specified points should thus be established or adjusted upon the particular experience of a single carrier.¹

Pending resolution of this question, petitioners will be authorized to publish the proposed less than minimum rates for a 180-day period. The instant petition may be scheduled for hearing in the meantime if it appears necessary or desirable to do so. In view of the expiration date of the present authority, the following order will be made effective August 30, 1956, and petitioners will be authorized to publish the reduced rates on not less than two days' notice.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Southern California Freight Lines and Southern California Freight Forwarders be and they are hereby authorized, on not less than two days' notice to the Commission and to the public, to publish and file, to expire February 26, 1957, a rate of 55.1 cents per ton for the

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Case No. 5438 (Pet. No. 12) - George C. Smith, Jr., doing business as Smith Transportation Co.; Case No. 5432 (Pet. No. 32) - Winans Bros. Trucking Co.; and Application No. 34010 (Third Supplemental) - Lester J. and John H. Geijsbeek, doing business as Geijsbeek Truckers.


C. 5432-AMS

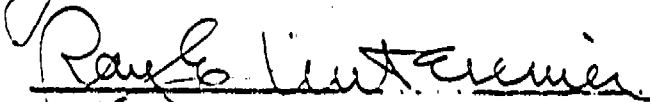
transportation of diatomaceous earth in sacks, minimum weight 50,000 pounds per day the carrier's equipment is operated, and empty sacks returning, between WALTERIA and Torrance. Said rate shall not include loading or unloading of carrier's equipment, but shall include the transportation of pallets without charge.


This order shall become effective August 30, 1956.


Dated at Los Angeles, California, this 29th day of August, 1956.



President








Commissioners

Certified as a True Copy

ASST. SECRETARY, PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA