

Decision No. 54267

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 fresh or)
 green fruits and vegetables and re-)
 lated items (commodities for which)
 rates are provided in Minimum Rate)
 Tariff No. 8).)

Case No. 5438
 Order Setting Hearing
 Dated August 31, 1954

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 No. 11

ORDER OF SUSPENSION

By Decision No. 53840, dated October 1, 1956, in Case No. No. 5438, minimum rates, rules and regulations were established for transportation of fresh fruits moving in interstate or in foreign commerce between points in California. Rates on a zone basis were established for movements of citrus fruits, deciduous tree fruits and grapes from designated growing areas to docks, piers and wharves located in the Los Angeles, Long Beach, San Francisco, Oakland and Stockton harbor areas. In other respects the rates so established are on a distance basis.¹

¹ The decision also prescribed minimum rates, with certain exceptions, for fresh vegetables moving between points in California interstate or in foreign commerce.

On October 17, 1956, petition for rehearing or reconsideration of Decision No. 53840 was filed by the California Grape & Tree Fruit League alleging, among other things, that in addition to the growing areas for which zone rates for deciduous tree fruits were established, there are other areas where deciduous tree fruits are grown extensively for export and that the application of mileage rates, instead of zone rates, to shipments from those areas is unduly prejudicial to the growers involved, inasmuch as said growers are in direct competition with growers in the areas for which lower zone rates are provided. Pursuant to this petition an order granting rehearing of Decision No. 53840 was issued in so far as the decision relates to rates for the transportation of deciduous tree fruits.

It now appears that the matters in issue in the rehearing may not be disposed of sooner than about four months from the date hereof and that in the meantime growers and shippers of deciduous tree fruits in the areas for which zone rates were not established may suffer substantial financial hardship as a consequence of the differences in rates referred to above. In the circumstances it appears, and the Commission so finds, that the application of the rates established by Decision No. 53840 for deciduous tree fruits moving in interstate or in foreign commerce between points within California should be temporarily suspended to March 31, 1957 pending decision on the matters covered by the rehearing granted with respect to Decision No. 53840.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Minimum Rate Tariff No. 8 (Appendix "C" for Decision No. 33977, as amended) be and it is hereby further amended by incorporating therein Supplement No. 18 cancels Supplement No. 17, to become effective January 1, 1957 which supplement is attached hereto and by this reference made a part hereof.

IT IS HEREBY FURTHER ORDERED that tariff publications authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the effective date hereof on not less than one day's notice to the Commission and to the public.

The effective date of this order shall be five days after the date hereof.

Dated at San Francisco, California, this 18th day of December, 1956.

John E. Whitely
President
Raul L. Interemer
Manuel D. Dale
R. H. Hardy
C. Lyn Fox
Commissioners

SUPPLEMENT NO. 18
(Cancels Supplement No. 17)

(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

(1) SUSPENSION NOTICE

The rates, rules and regulations named in this tariff applicable to the transportation of deciduous tree fruit in interstate or foreign commerce between points in California are hereby suspended.

(1) Expires with March 31, 1957

Decision No. 54267

EFFECTIVE JANUARY 1, 1957

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