

ORIGINAL

Decision No. 54997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Evelyn O.)
 Simmonds, doing business as WEST BERKELEY)
 EXPRESS AND DRAYING CO., to establish joint) Application No. 38991
 rates with CONSOLIDATED FREIGHTWAYS, INC., CULY)
 TRANSPORTATION CO., INC., DELTA LINES, INC.,)
 and WILLIG FREIGHT LINES.)

OPINION AND ORDER

Applicants are highway common carriers of general commodities. Evelyn O. Simmonds, dba West Berkeley Express and Draying Co., serves generally between points in the area San Jose to Antioch and certain intermediate points. The other carriers operate between the San Francisco territory and the Los Angeles and San Diego territories. By this application authority is sought to establish, on less than statutory notice, through service, through routes and joint rates. The freight would be interchanged at San Francisco or Oakland.

The proposed rates are on the same level as the minimum class rates named in Minimum Rate Tariff No. 2. Service over applicants' lines between the points involved is now subject to combinations of their local rates. These combination rates are higher than the proposed joint rates. Applicants represent that it will be advantageous to the public to be able to make through shipments over their lines under the lower rates. Applicants propose to originate traffic at points on the lines of West Berkeley Express and Draying Co. and transport it under through rates to points served by the other applicants, and vice versa.

Competing carriers have been notified of the filing of the application. No objection has been received.

It appears that the establishment of the proposed through service, through routes and joint rates, on ten days' notice, is not

adverse to the public interest and should be authorized. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That applicants be and they are hereby authorized to establish, on not less than ten days' notice to the Commission and the public, the through service, through routes and joint rates proposed in the above-entitled application.

(2) That the authority herein granted be and it hereby is limited to the extent that it may be exercised in conformity with the provisions of Article XII, Section 21, of the Constitution of the State of California and Section 460 of the Public Utilities Code and that the authority shall not be construed as relieving applicants from the operation and requirements of said provisions of the Constitution and of the Public Utilities Code to any extent whatsoever.

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

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 31st day of May, 1957.

[Signature]
 President

[Signature]
 Commissioner

[Signature]
 Commissioner

[Signature]
 Commissioner

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 Commissioner