

Decision No. 55292

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application	}	Application No. 39148
of STERLING TRANSIT COMPANY, INC.,		
to establish joint rates with		
Richard D. Popovich, doing		
business as DICK'S TRANSPORTATION.		

OPINION AND ORDER

Sterling Transit Company, Inc., is a highway common carrier of general commodities operating generally between Fresno, on the one hand, and points in the San Francisco Bay area, the Los Angeles Territory and the San Diego area, on the other hand. Dick's Transportation is a highway common carrier of specified commodities operating, among other places, between Fresno, on the one hand, and points on State Highway 33 between Patterson and Maricopa, including Los Banos, and points on U. S. Highway 99 between Manteca and Bakersfield, including off-route points of Riverbank, Escalon and Oakdale, on the other hand. By this application, as amended, authority is sought to establish, on less than statutory notice, through service, through routes and joint rates. The freight would be interchanged at Fresno. Authority is also sought to depart from the long-and-short-haul provisions of the Constitution of the State of California and the Public Utilities Code to the extent necessary to establish the joint rates.

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 Sterling Transit Company, Inc., and transport it under through routes and joint rates to points on the lines of Dick's Transportation, 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. The authority herein granted should not be construed as granting applicants authority to transport, under the proposed joint arrangements, commodities not embraced in the highway common carrier certificate of public convenience and necessity of Dick's Transportation.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that applicants be and they are hereby authorized to establish, on not less than ten days' notice to the Commission and the public, through service, through routes and joint rates proposed in the above-entitled application, as amended, and 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 to the extent necessary to establish the rates authorized herein.

IT IS HEREBY FURTHER ORDERED 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 22nd day of July, 1957.

President
Paul H. Revere

Walter Dooly

R. Hardy

E. L. Fox
Commissioners