

**ORIGINAL**

Decision No. 55628

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of TED PETERS TRUCKING COMPANY, )  
INC., for authority under Sec- )  
tion 3666 of the Public Utilities )  
Code to assess and collect trans- )  
portation charges based on rates )  
lower than the minimum rates )  
heretofore established by the )  
Commission. )

Application No. 37675  
(First and Second Supplemental)

SUPPLEMENTAL OPINION AND ORDER

Applicant holds a highway contract carrier permit. By Decision No. 53265 of June 19, 1956, it was authorized to assess for a one-year period ending July 7, 1957, rates less than the applicable minimum rates for shipments of frozen pies, cakes and cookie rolls for the Carnation Company from Los Angeles Territory to Fresno, San Francisco Territory, Sacramento, Chico and certain intermediate points, and frozen fruits and berries to Los Angeles Territory from certain of the above points and Watsonville. First Supplemental Application No. 37675, filed May 7, 1957, sought authority to assess for a further one-year period rates 5 percent higher than those authorized by Decision No. 53265.

The first supplemental application did not contain data sufficient to show that the sought extension for an additional year was justified. However, to provide applicant an opportunity to show the profitableness of the operations involved, authority was granted by Decision No. 55128 of June 18, 1957, to assess the higher rates for a period of ninety days. That authority is scheduled to expire October 7, 1957. By the second supplemental application authority is requested to assess rates authorized by Decision No. 55128 for the period to and including July 7, 1958.

The second supplemental application shows that this portion of applicant's operations has been conducted at a profit under the authorized rates during the past year. It states that the proposed increase in these rates will offset increased operating cost which applicant has incurred. The Transportation Division staff has reviewed applicant's additional data and has recommended granting the sought authority.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable. This is a matter in which a public hearing is not necessary. The supplemental application will be granted. In view of the expiration date of the present authority, the following order will be made effective October 7, 1957.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Appendix "A" of Decision No. 53265 dated June 19, 1956, as amended, in this proceeding, be and it is hereby further amended by providing that the rates authorized therein shall be subject to a five percent surcharge.

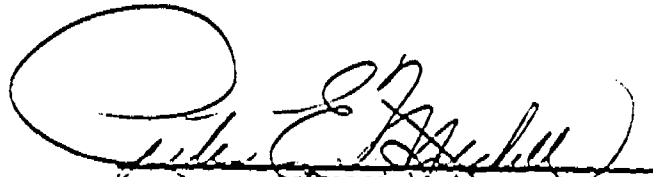
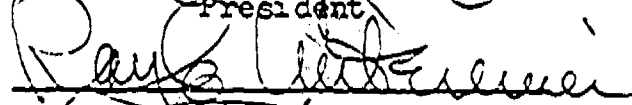
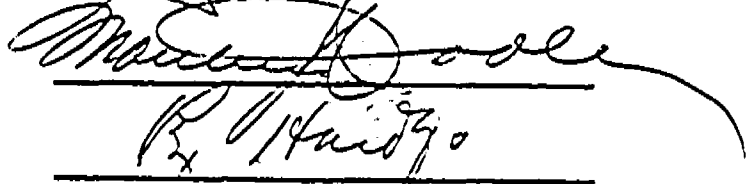

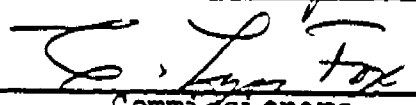
(2) That the expiration date of the authority granted by said Decision No. 53265, as further amended herein, be and it is hereby extended to July 7, 1958, unless sooner canceled, changed, or extended by order of this Commission.

(3) That any transportation performed by applicant as a common carrier of the same commodities between the same points shall

be cause for revocation of the authority herein granted.

This order shall become effective October 7, 1957.

Dated at San Francisco, California, this 107 day of  
October, 1957.

  
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President  
  
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Commissioners