

ORIGINALDecision No. 55755

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 J. CHRISTENSON CO., a corporation,)
 and TED PETERS TRUCKING COMPANY, INC.,) Application No. 39425
 a corporation, to increase rates and)
 charges.)

OPINION AND ORDER

J. Christenson Co. and Ted Peters Trucking Company, Inc., operate as highway common carriers between various points in the State of California. Their tariffs include commodity rates on a number of commodities for which minimum rates have not been established. By this application they seek authority to adjust these commodity rates and charges, on less than statutory notice, by such percentages or amounts as the fourth class rates published in Minimum Rate Tariff No. 2 may be increased as a result of the proceedings now pending before the Commission in Case No. 5432.^{1/} They also seek authority to depart from the long-and-short-haul provisions of the Constitution and of the Public Utilities Code, and from the provisions of General Order No. 80 in connection with the publication of such rates.

Applicants state that the level of these commodity rates is depressed; that the transportation conditions, including the cost of rendering the service, attending the movement of the exempt commodities are generally the same as those attending the movement of commodities for which rates are provided in Minimum Rate Tariff No. 2; and that applicants desire to maintain these commodity rates

^{1/} Decision No. 55704 of October 15, 1957, in Case No. 5432, established the adjustments in the minimum rates referred to by applicants.

in the same general relationship to their class rates as they have maintained them over the past several years.

Interested parties have been notified of the filing of the application. No objection to its being granted has been received.

In the circumstances it appears, and the Commission finds, that the sought increases are justified. The application will be granted. A public hearing is not necessary. In view of the adjustments in the minimum rates being scheduled to become effective November 18, the order herein will be made effective five days prior thereto.

Therefore, good cause appearing,

IT IS ORDERED that J. Christenson Co. and Ted Peters Trucking Company, Inc., be and they are hereby authorized, on not less than five days' notice to the Commission and to the public, to increase their commodity rates and charges on commodities for which minimum rates have not been established by the same percentages or amounts as the fourth class rates named in Minimum Rate Tariff No. 2 are increased by Decision No. 55704 of October 15, 1957, in Case No. 5432.

IT IS FURTHER ORDERED that applicants are authorized to depart from the provisions of Article XII, Section 21 of the Constitution of the State of California, and Section No. 460 of the Public Utilities Code to the extent necessary to adjust long-and-short-haul departures now maintained under outstanding authorizations; that such outstanding authorizations be and they are hereby modified to the extent necessary to comply with this order; and that applicants in publishing rates under this authority shall make reference in their schedules to the prior orders authorizing long-and-short-haul departures and to this order.

IT IS FURTHER ORDERED that applicants be and they are hereby authorized to depart from the provisions of General Order No. 80 of the Commission to the extent necessary to publish the tariff changes authorized by this order.

This order shall become effective November 13, 1957.

Dated at San Francisco, California, this 28th day of October, 1957.

President

Commissioners