

Decision No. 56580

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
W. J. TANNAHILL, M. F. TANNAHILL,)	
and E. J. TANNAHILL, copartners)	Application No. 21909
doing business under the name and)	(20th Supplemental)
style of W. J. Tannahill & Sons,)	
for authority to charge less than)	
minimum rates.)	

TWENTY-FIRST SUPPLEMENTAL OPINION AND ORDER

Applicants hold radial highway common, city carrier and highway contract carrier permits. They transport lumber and other forest products for the Owens-Parks Lumber Company from the shipper's yard at Vernon to points within a radius of 30 miles thereof. Prior orders in this proceeding have authorized applicants, under Sections 3666 and 4015 of the Public Utilities Code, to deviate from the established minimum rates by assessing a rate of \$2.90 per thousand board feet subject to hourly penalty charges in lieu of the minimum rates which are subject to a weight basis and a distance factor. The present authorization is scheduled to expire April 30, 1958. By supplemental application, authority is sought to continue to deviate from the minimum rates.

According to the supplemental application, the conditions which justified deviation from the minimum rates still obtain. A statement submitted with the application shows that the current rate and penalty charges will result in profitable operations for the ensuing year. The supplemental application also states that substantially all of applicants' business is with the one shipper and unless the authority is continued, the shipper will revert to private transportation. The Transportation Division staff has reviewed the supplemental application and has recommended that it be granted as proposed.

In the circumstances, it appears, and the Commission finds, that the proposed rate and charges are reasonable and consistent with the public interest. This is a matter in which a public hearing is not necessary. The supplemental application will be granted. Because the conditions underlying the service may change, the authority will be limited to a one-year period unless sooner changed, canceled or extended by order of the Commission. In view of the expiration date of the current authority, the order will be made effective April 30, 1958.

Therefore, good cause appearing,


IT IS HEREBY ORDERED:

(1) That the expiration date of the authority granted W. J. Tannahill, M. F. Tannahill and E. J. Tannahill, copartners doing business as W. J. Tannahill & Sons, by Decision No. 54889 of April 22, 1957, in this proceeding, is hereby extended to April 30, 1959, unless sooner changed or further extended by order of the Commission.

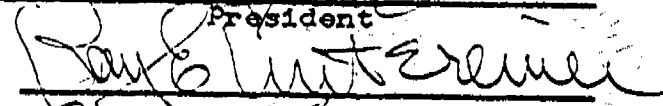
(2) That the permit which W. J. Tannahill, M. F. Tannahill and E. J. Tannahill, copartners doing business as W. J. Tannahill & Sons, holds to operate as a radial highway common carrier is hereby limited to exclude the transportation of lumber and forest products, as described in Item No. 660 of Minimum Rate Tariff No. 2, except sash and doors, between Vernon and points within a radius of 30 miles thereof.


This order shall become effective April 30, 1958.


Dated at San Francisco, California, this 22nd day of April, 1958.

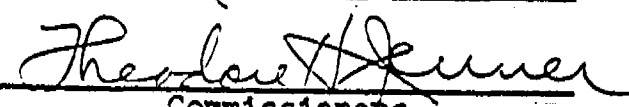


 President









 Commissioners