

ORIGINALDecision No. 56812

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of CLIFFORD L. AKSLAND, an indi-)	
vidual, and J. R. YOUNG, dba)	
YOUNG'S COMMERCIAL TRANSFER, INC.,)	Application No. 40052
a corporation, to depart from the)	
rates, rules and regulations of)	
Highway Carriers' Tariff No. 2.)	

OPINION AND ORDER

By Decision No. 54768 dated April 2, 1957, in Petition for Modification No. 81, as amended, in Case No. 5432, Clifford L. Aksland, Young's Commercial Transfer, Inc., and two other highway contract carriers were authorized to deviate from the requirements of Item No. 70-D of Minimum Rate Tariff No. 2 by assessing charges for the transportation of bakery goods in wheeled carriers on the net weight of the bakery goods exclusive of the weight of said wheeled carriers. The authority expired April 22, 1958. By this application, filed April 30, 1958, Clifford L. Aksland and Young's Commercial Transfer, Inc., request extension of the authority for a one-year period.

Clifford L. Aksland, doing business as Aksland Trucking Co., by Decision No. 56649 dated May 6, 1958, in Application No. 39274, was granted a certificate of public convenience and necessity as a highway common carrier for the transportation of bakery goods between points in an area bounded by San Francisco, Sacramento, Sonoma, Porterville, Los Banos, Gilroy and San Jose. The decision authorized him to publish rates on the basis here sought. He does not need further authority and has indicated, through his

The other two carriers were W. E. Morrissey, doing business as Morrissey Trucking, and Paul H. Melvin, doing business as M & S Trucking, who did not join in this application.

attorney, that he has no objection to denial of the instant application. Insofar as applicant Aksland is concerned, the application will be denied.

Applicant Young's Commercial Transfer, Inc., holds permits as a radial highway common carrier, a highway contract carrier and a petroleum contract carrier and transports general commodities, fresh fruits and vegetables, and a substantial volume of bakery goods, from San Francisco Bay area points to Yuba City, Chico, Redding, Modesto, Merced, Fresno, Tulare and Bakersfield. The application asserts that the conditions which warranted granting Young's previous authority still exist, and that applicant has operated successfully during the past year and can continue to operate successfully and profitably in the future with the sought deviation.

In the circumstances, it appears, and the Commission finds, that the proposed rate deviation is reasonable. The authority sought by Young's Commercial Transfer, Inc., will be granted. A public hearing is not necessary.

It is alleged that through inadvertence this application was not filed before the authority heretofore granted expired, and that the applicants are in imminent danger of losing all of their bakery goods' transportation business to privately owned trucks of the shippers. In view of these circumstances, the order herein will be made effective on the date hereof.

Young's Commercial Transfer, Inc., holds permits authorizing operations as a highway contract carrier and as a radial highway common carrier. The authority herein granted will apply to applicant's operations as a contract carrier. Applicant's operative authority as a common carrier will be limited accordingly in order that there will be no conflict between its contract carrier and common carrier operations.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Young's Commercial Transfer, Inc., operating as a highway contract carrier, is hereby authorized to assess charges for the transportation of shipments of bakery goods in wheeled carriers on the net weight of the bakery goods exclusive of the weight of said wheeled carriers.


(2) That the permit which Young's Commercial Transfer, Inc., holds to operate as a radial highway common carrier is hereby limited to exclude the transportation of bakery goods in wheeled carriers.

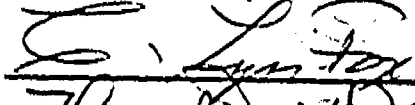
(3) That the authority herein granted shall expire April 22, 1959, unless sooner canceled, changed or extended by order of this Commission.

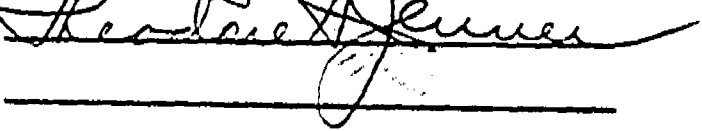
(4) That Application No. 40052, insofar as it concerns Clifford L. Aksland, is denied.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 9th day of June, 1958.



President




Commissioners