

**ORIGINAL**Decision No. 57646

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into )  
 the rates, rules and regulations, charges, )  
 allowances and practices of all common )  
 carriers, highway carriers and city car- )  
 riers relating to the transportation of )  
 any and all commodities between and )  
 within all points and places in the State )  
 of California (including, but not limited )  
 to, transportation for which rates are )  
 provided in Minimum Rate Tariff No. 2). )

Case No. 5432  
 Petition  
 for  
 Modification  
 No. 116

OPINION AND ORDER

George S. Butler, Inc., is a highway common carrier of lumber and forest products between points on and in the vicinity of Highway U.S. 101 from Eureka to the California-Oregon border. By petition filed August 5, 1958, it seeks authority to establish and maintain rates per thousand feet board measure for the transportation of redwood lumber between the points it is authorized to conduct its common carrier service. The proposed rates represent mathematical projections of the existing rates per 100 pounds applicable to shipments subject to a minimum weight of 43,000 pounds. The minimum number of board feet per shipment represent mathematical equivalents of the 43,000-pound minimum weight as follows:

Rough green select grade	4,571 lbs. per MBM
Rough green, construction grade or lower	4,000 lbs. per MBM
Surfaced green, select grade	4,143 lbs. per MBM
Surfaced green, construction grade or lower	3,620 lbs. per MBM
Rough dry	2,596 lbs. per MBM
Surfaced dry	2,072 lbs. per MBM

Petitioner states that its actual operations are in the area from Arcata to the California-Oregon State line, and that there are no truck scales in this area available for public use. The

nearest public scale is in Eureka, and petitioner would have to travel at least an additional 16 miles in order to obtain a scale weight. Such additional travel, petitioner states, would in some instances involve overtime being paid to its drivers and in others, make it impossible to effect deliveries before closing time of the consignee.

Highway contract carriers operating in the same general area, upon application, have been granted authority to assess rates for the transportation of redwood lumber based upon estimated weights of 4,500 pounds per thousand feet board measure for rough green lumber and 3,500 pounds per thousand feet board measure for surfaced green lumber.<sup>1/</sup>

Notice of the filing of the petition was given to an association representing other carriers in the area. No objection to its being granted has been received. A public hearing is not necessary.

In the circumstances, it appears that the requirement of weighing each shipment places an unwarranted burden upon petitioner. The rates proposed by petitioner appear to reflect the levels of the existing rates. The departures therefrom are very minor and appear to be on the order of a few cents per shipment. We find that the proposed rates are reasonable and that any increases or reductions from petitioner's present rates resulting from the establishment of the proposed rates are justified by transportation conditions. Because the operating conditions justifying the authority granted herein may change at any time, the authority will be made to expire

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<sup>1/</sup> Decision No. 57173 dated August 12, 1958, in Application No. 40163.

at the end of one year, unless sooner canceled, changed, or extended by order of the Commission.


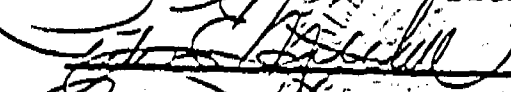


Therefore, good cause appearing,

IT IS ORDERED:

- (1) That George S. Butler, Inc., is authorized to establish and maintain the rates set forth in Exhibit A to its petition filed herein.
- (2) That the aforesaid rates may be made effective on not less than ten days' notice to the Commission and to the public.
- (3) That the authority granted herein shall expire unless exercised prior to sixty days after the effective date of this order, and in any event shall expire December 1, 1959, unless sooner canceled, changed or extended by order of the Commission.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 25th day of November, 1958.

  
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President  
  
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Commissioners