

Decision No. 57858

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Associated Freight Lines and Mary)
Martha Stanley, an individual, and)
Mary Martha Stanley as Trustee under)
the Last Will of Edgar S. Stanley,)
deceased, doing business as Star)
Truck & Transfer Co., Star Truck &)
Warehouse Co., and Pioneer Truck)
Co., for authority to establish)
joint through rates and routes.)

Application No. 40664

OPINION AND ORDER

Associated Freight Lines operates generally between Los Angeles Territory and the San Francisco Territory as described in Appendices "C" and "D" to Decision No. 43003 dated June 14, 1949, in Application No. 24057. Star Truck & Transfer Co. operates generally between points in the Los Angeles Basin Territory as described in Decision No. 54860 dated April 16, 1957, in Application No. 36187.

By this application, authority is sought to establish through service, through routes and joint rates between various points as specified in the application. The freight would be interchanged at Los Angeles. Applicants do not request authority to depart from the long-and-short-haul provisions of the Constitution of the State of California and the Public Utilities Code.

The proposed rates are on the same level as the minimum rates named in Minimum Rate Tariff No. 2 except that rates for Classes "D" and "E" will be maintained at the level of Class "C" rates.

Service over applicants' line between the points involved is now subject to combinations of their local rates. These combination rates are higher than the proposed joint rates. Applicants

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represent that the joint through rates and routes herein sought will enable them to render service upon competitive equality with other carriers and to utilize their existing facilities more fully.

The application shows that a copy of the application was served on competing carriers concurrently with the filing thereof. No objection to its being granted has been received.

It appears that the establishment of the proposed through service, through routes and joint rates, on ten days' notice, is not adverse to the public interest and should be authorized, subject to the condition that applicants shall search out and avoid publishing or thereafter maintaining any joint through rate in excess of the combination of applicants' local rates for the transportation of a like kind of property between the same points. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That applicants are hereby authorized to establish, on not less than ten days' notice to the Commission and the public, the through service, through routes and joint rates proposed in the above-entitled application.

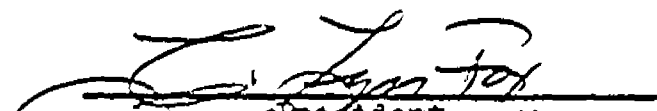
(2) That the authority herein granted is limited to the extent that it may be exercised in conformity with the provisions of Article XII, Section 21 of the Constitution of the State of California and Section 460 of the Public Utilities Code and that the authority shall not be construed as relieving applicants from the operation and requirements of said provisions of the Constitution and of the Public Utilities Code to any extent whatsoever.

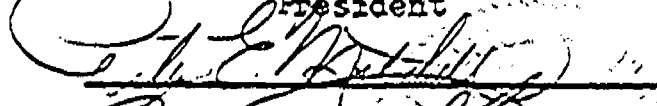
(3) That applicants shall search out and avoid publishing or thereafter maintaining any joint through rate in excess of the combination of applicants' local rates for the transportation of a like kind of property between the same points. In the event any combination of applicants' published local rates is found to make a lower rate than the joint through rate published pursuant to the authority herein granted, applicants shall immediately adjust the higher through rate in accordance with Rule 7 of General Order No. 80.


(4) That the authority herein granted shall expire unless the authorized rates are made effective within ninety days after the effective date of this order.

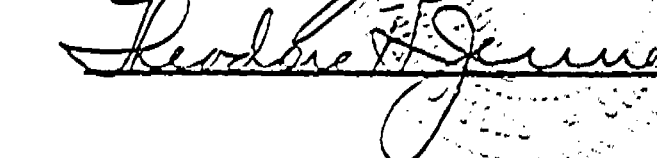
This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 13th day of January, 1959.



President






Commissioners