

ORIGINALDecision No. 58484

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Robert)
 Pieri, doing business as C-LINE EXPRESS To)
 Establish Joint Rates With WILLIG FREIGHT)
 LINES)

Application No. 41030

OPINION AND ORDER

Applicants are highway common carriers of general commodities. Robert Pieri operates generally between Oakland, on the one hand, and Vallejo, Napa and Benicia, on the other hand. Willig Freight Lines operates, among other places, between Los Angeles Basin Territory, on the one hand, and Oakland, on the other hand; also, between Oakland and San Francisco, on the one hand, and points north thereof on U.S. Highway 101 and State Highway 1 to and including Cloverdale and Rockport and certain intermediate points, on the other hand.

By this application, authority is sought to establish, on less than statutory notice, through service, through routes, and joint rates between the points set forth above. The freight would be interchanged at Oakland. The proposed joint rates are on the same level as the minimum class rates named in Minimum Rate Tariff No. 2. Authority is also sought to depart from the long-and-short-haul provisions of the Public Utilities Code to the extent necessary to establish the joint rates.

Service over applicants' lines between the points involved is now subject to combinations of their local rates. These combination rates are higher than the proposed joint rates. Applicants represent that it will be advantageous to the public to be able to make through shipments over their lines under the lower rates.

The application shows that, on or about April 10, 1959, a copy was served on competing carriers. 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. The application will be granted. 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 applicants are hereby authorized to depart from the long-and-short-haul provisions of Article XII, Section 21, of the Constitution of the State of California, and Section 460 of the Public Utilities Code to the extent necessary to establish the rates authorized herein.

(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 exercised 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 22nd day of May, 1959.

E. Lynn Fox
President

[Signature]
Commissioner

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Commissioner

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Commissioner

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Commissioner