

ORIGINALDecision No. 58561

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of EL)
 DORADO MOTOR TRANSPORTATION CO., INC. to)
 Establish Joint Rates with WESTERN TRUCK) Application No. 41079
 LINES, LTD.)

OPINION AND ORDER

Applicants are highway common carriers of general commodities. El Dorado Motor Transportation Co., Inc., operates, among other places, between Sacramento, on the one hand, and Fresh Pond, Plymouth, Amador City, Sutter Creek, Jackson and intermediate points, on the other hand; also between Oakland, on the one hand, and Sacramento and Stockton, on the other hand. Western Truck Lines, Ltd., operates, among other places, between Oakland and Sacramento, on the one hand, and Los Angeles Basin Territory, 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 Sacramento or Oakland. The proposed joint rates will be on the same level as the minimum class rates prescribed by this Commission in Minimum Rate Tariff No. 2. Authority is also sought to depart from the long-and-short-haul provisions of the Constitution of the State of California and 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 would 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 24, 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 and 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.

(2) 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.

(3) 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 8th day of June 1959.

E. J. Fox
President
W. E. ...
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Commissioners