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ORIGINAL

Decision No. \_\_\_\_\_

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of COAST LINE TRUCK SERVICE, )  
 INC. for authority to establish joint )  
 rates with GEORGE CHUCK and EDWARD )  
 PAPAZIAN, doing business as, DESERT BELT )  
 TRANSPORTATION COMPANY, THOMAS E. REYES, ) Application No. 41119  
 doing business as, T.E. REYES TRUCKING, )  
 and HILARION M. RUIZ, under Section )  
 Nos. 491, 1065 and 1066 of the California )  
 Public Utilities Code. )

OPINION AND ORDER

George Chuck and Edward Papazian, doing business as Desert Belt Transportation Company; Thomas E. Reyes, doing business as T.E. Reyes Trucking; and Hilarion M. Ruiz are highway common carriers of fresh or green fruits and vegetables (not cold pack or frozen), including mushrooms. They operate generally between points in the Coachella Valley, on the one hand, and Los Angeles area, on the other hand. Coast Line Truck Service, Inc., is a highway common carrier of general commodities, including the aforementioned commodities, operating, among other places, between San Francisco Territory and Los Angeles.

By this application, authority is sought to establish, on less than statutory notice, through service, through routes, and joint rates on the commodities described above between the points served by applicants. The freight would be interchanged at Los Angeles. The proposed joint rates are on the same level as the minimum rates named in Minimum Rate Tariff No. 8. It is proposed to publish these rates in Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight Tariff No. 17-A, Cal.P.U.C. No. 33 (Elmer Ahl, Agent, series). 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.

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 May 4, 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 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 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 16<sup>th</sup> day of June, 1959.

  
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President  
  
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Commissioners