

Decision No. 58724

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of GOULD TRANSPORTATION CO., INC., for authority under Section 3666 of the Public Utilities Code to assess and collect transportation charges based on rates lower than the minimum rates heretofore established by the Commission.

Application No. 41218

OPINION AND ORDER

Applicant holds radial highway common, highway contract and city carrier permits, and a highway common carrier certificate. Prior orders in Application No. 37702 authorized applicant, as a highway contract carrier, to assess rates less than the applicable minimum rates for shipments of frozen pies, cakes and cookie rolls for the Carnation Company from the Los Angeles Territory to San Francisco Territory, Fresno, Sacramento, Chico and certain intermediate points, and fresh frozen fruits and berries from certain of the aforementioned places and Watsonville to the Los Angeles Territory.<sup>1</sup> The authority is scheduled to expire July 30, 1959.

By this application, authority is sought to continue to deviate from the minimum rates for a further one-year period but to increase the currently authorized surcharge from seven percent to eight percent. Authority is also requested to include "frozen dough" on northbound movements at the sought rates.

Applicant states that there has continued to be a substantial movement of the traffic embraced herein and that the operation has been conducted at a profit under the authorized rates during

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<sup>1</sup> By Decision No. 57064 of July 29, 1958, in Application No. 37702 (Third Supplemental) applicant's radial highway common carrier permit was conditioned to exclude the transportation involved herein. Applicant's highway common carrier certificate does not apply to transportation between the points involved herein.

the past year. The application recites that applicant has experienced certain increases in the cost of operation and that the proposed increase in the surcharge will offset the increased operating cost.

The applicant asserts that the shipper, Carnation Company, has developed and is preparing to market a new product known as frozen dough. The product will be shipped from the same plant and to the same consignees as are the frozen pies, cakes and cookie rolls. According to the application, frozen dough generally possesses more favorable transportation characteristics than the commodities covered by the current authority. The Transportation Division staff has reviewed the verified application and has recommended that it be granted.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable. This is a matter in which a public hearing is not necessary. The application will be granted.

Therefore, good cause appearing,


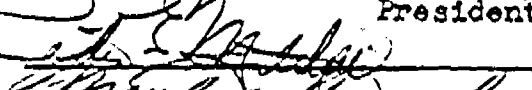
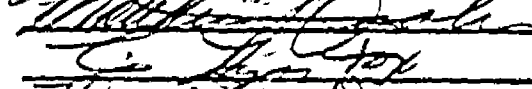
IT IS ORDERED:

(1) That Gould Transportation Co., Inc., operating as a highway contract carrier is hereby authorized to transport frozen cakes, frozen pies, frozen cookie rolls, and frozen dough, in straight or mixed shipments, and fresh frozen fruits and fresh frozen berries for Carnation Company at less than the established minimum rates, but not less than those set forth in, and subject to, the provisions shown in Appendix "A" attached hereto and by this reference made a part hereof.

(2) That the authority granted herein shall expire one year after the effective date of this order unless sooner canceled, changed or extended by order of the Commission.

This order shall become effective July 30, 1959.

Dated at San Francisco, California, this 7<sup>th</sup> day of July, 1959.

  
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President  
  
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Commissioners

APPENDIX "A" TO DECISION NO. 5872  
IN APPLICATION NO. 41218

(Rates are in cents per 100 pounds)

1. Fruit pies, frozen, as described in Item No. 40580, Meat pies, frozen, as described in Item No. 40570, Dough, frozen, as described in Item No. 39780, and cream pies, cakes, cookie rolls, frozen, as described in Item No. 39990 of Western Classification No. 77, J.P. Hackler, Tariff Publishing Officer, in straight or mixed shipments, minimum weight 36,000 pounds.

From Los Angeles Territory, as defined in Minimum Rate Tariff No. 2, to:

	<u>Rate*</u>
(a) Fresno and intermediate points on U.S. Highway 99	39
(b) San Francisco Territory, as defined in Minimum Rate Tariff No. 2, and intermediate points between Fresno and San Francisco on U.S. Highways 99, 50 and 101 and State Highway 152	51
(c) Sacramento and intermediate points between Fresno and Sacramento on U.S. Highway 99	51
(d) Chico and intermediate points between Sacramento and Chico on U.S. Highways 40, 99-E and 40 Alternate	65

2. Fresh Frozen Fruit and Fresh Frozen Berries, minimum weight 38,000 pounds.

To Los Angeles Territory, from:

(a) Fresno and points and places within 25 miles thereof, except points on U.S. Highway 99 north of Fresno, and intermediate points between Fresno and Bakersfield, on U.S. Highway 99	39
(b) San Francisco Territory, and intermediate points on U.S. Highway 99 north of Fresno, on U.S. Highway 101 and State Highway 152 and off-route points within 10 miles of Watsonville	51
(c) Sacramento and intermediate points between Sacramento and Fresno on U.S. Highway 99	51
(d) Chico and intermediate points between Chico and Sacramento on U.S. Highways 40, 99-E and 40 Alternate	65

NOTES:

1. All of the foregoing rates are intended to include refrigeration service without additional charge.

\* These rates are subject to a surcharge of eight percent.

2. All of the foregoing rates are intended to include an allowance for loading at points of origin of one man for 4 hours per shipment of 36,000 pounds or more. When additional loading time is required, additional charges on the basis of those provided in Minimum Rate Tariff No. 2 will be assessed.
3. All of the foregoing rates are intended to include split pickup or split delivery service, subject to the additional split pickup or split delivery charges provided in Minimum Rate Tariff No. 2.
4. No shipment of fresh frozen fruits or of fresh frozen berries, transported under any of the rates authorized herein, shall be accorded split pickup service both at a point or points specified in Note A and at a point or points specified in Note B, below.
5. No shipment of frozen pies, frozen cakes, frozen dough, or frozen cookie rolls transported under any of the rates authorized herein shall be accorded split delivery service both at a point or points specified in Note A and at a point or points specified in Note B, below.

Note A

San Francisco Territory, as defined in Minimum Rate Tariff No. 2; points on U. S. Highway 101, Gilroy to, but not including, said San Francisco Territory; points within 10 miles of Watsonville.

Note B

Points on U. S. Highway 99 north of State Highway 152.

END OF APPENDIX "A"