

ORIGINAL

Decision No. 59303

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
J. CHRISTENSON CO., a corporation.)	
and TED PETERS TRUCKING COMPANY,)	Application No. 41566
INC., a corporation, to increase)	
rates and charges.)	

OPINION AND ORDER

J. Christenson Co. and Ted Peters Trucking Company, Inc., operate as highway common carriers between various points in the State of California. Their tariffs include commodity rates on a number of commodities for which minimum rates have not been established. By this application they seek authority to adjust these commodity rates and charges, on less than statutory notice, by the same amounts as the fourth class rates published in Minimum Rate Tariff No. 2 are increased by Decision No. 59090, dated September 29, 1959, in Case No. 5432.¹ J. Christenson Co. also seeks authority to increase its first and fourth class rates applicable between West Sacramento and Sacramento to the same level as the minimum rates for comparable distances. Applicants also seek authority to depart from the long- and short-haul provisions of the Constitution and of the Public Utilities Code, and from the provisions of General Order No. 80 in connection with the publication of such rates.

Applicants state that the levels of these commodity and class rates are depressed; that the transportation conditions, including the cost of rendering the service, attending the movement of the exempt commodities are generally the same as those attending the

¹ The increased rates established by Decision No. 59090 became effective November 13, 1959.

movement of commodities for which rates are provided in Minimum Rate Tariff No. 2; and that applicants desire to maintain these commodity and class rates in the same general relationship to their class rates as they have maintained them over the past several years.

Interested parties have been notified of the filing of the application. No objection to its being granted has been received.

In the circumstances it appears, and the Commission finds, that the sought increases are justified. The application will be granted. A public hearing is not necessary. Applicants request authority to make the tariff changes on one day's notice. This short a time does not permit proper examination of the filings, therefore, applicants will be authorized to publish the tariff adjustments on five days' notice. In view of the adjustments in the minimum rates having become effective November 13, the order herein will be made effective ten days after the date hereof.

Therefore, good cause appearing,

IT IS ORDERED:

1. That J. Christenson Co. and Ted Peters Trucking Company, Inc., be and they are hereby authorized, on not less than five days' notice to the Commission and to the public, to increase their commodity rates and charges on commodities for which minimum rates have not been established by the same amounts in cents per 100 pounds as the fourth class rates for the same distances named in Minimum Rate Tariff No. 2 are increased by Decision No. 59090, dated September 29, 1959, in Case No. 5432.

2. That J. Christenson Co. be and it is hereby authorized, on not less than five days' notice to the Commission and to the public, to increase its first and fourth class rates applicable between West Sacramento and Sacramento to the same levels as the first and fourth class rates prescribed for the same distances by the aforesaid Decision No. 59090.

3. That applicants are authorized to depart from the provisions of Article XII, Section 21 of the Constitution of the State of California, and Section No. 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; that such outstanding authorizations be and they are hereby modified to the extent necessary to comply with this order; and that applicants in publishing rates under this authority shall make reference to their schedules to the prior orders long- and short-haul departures and to this order.

4. That applicants be and they are hereby authorized to depart from the provisions of General Order No. 80 of the Commission to the extent necessary to publish the tariff changes authorized by this order.

5. The authority herein granted shall expire unless exercised within sixty days after the effective date of this order.

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

Dated at San Francisco, California, this 24th day of November, 1959.

[Signature]
President

[Signature]

[Signature]

[Signature]
Commissioners