

Decision No. 59796

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into )  
the rates, rules, and regulations, charges, )  
allowances and practices of all common )  
carriers, highway carriers and city car- )  
riers relating to the transportation of )  
any and all commodities between and within )  
all points and places within the State of )  
California (including but not limited to )  
transportation for which rates are provided )  
in Minimum Rate Tariff No. 2).

Case No. 5432  
Order Setting Hearing  
Dated June 24, 1958  
And  
Order Setting Hearing  
Dated May 3, 1955

ORDER DENYING PETITION

By petition filed March 14, 1960, Sun Lumber Company, seven other lumber companies and The Southern California Retail Lumber Association seek an order suspending the effective date of Item No. 710 of Minimum Rate Tariff No. 2, which item was established by Decision No. 59599.<sup>1</sup>

The rate revisions made by said Decision No. 59599 were based upon evidence received at public hearings held at San Francisco, Eureka and Los Angeles on various dates in October, 1959. Said decision was issued February 1, 1960, became effective February 21, 1960, and revised minimum rates for the transportation of lumber and related articles, effective March 18, 1960.

The instant petition does not allege that the revised rates are unreasonable or unlawful. It alleges only that a number of designated highway carriers have requested California Trucking Associations, Inc., to petition the Commission to establish a reduced classification rating for lumber and forest products, that additional time should be granted for the reason that lumber dealers are

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<sup>1</sup> Although designated "Petition for Rehearing to Amend Decision No. 59599, Pertaining to the Transportation of Lumber and Forest Products," the petition does not seek a rehearing nor an amendment of the decision, but only a suspension of the effective date of the tariff item.

required to quote delivery prices at least ninety days in advance of shipment, that the March 18 effective date of the rate changes did not allow the lumber dealers sufficient time to fulfill contract quotations, and that unless relief is granted many lumber dealers will be forced to private carriage.




The allegations of the instant petition afford no sufficient basis for granting of the relief sought, i.e., a suspension of the effective date of one of the revised tariff items. The petition will be denied without prejudice to the filing of a petition for modification of the minimum rate tariff in any respects which the petitioners may believe to be necessary, desirable or appropriate.

Therefore, good cause appearing,

IT IS ORDERED that the petition filed in this proceeding on March 14, 1960, by Sun Lumber Company, et al., be and it is denied without prejudice.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 15th day of March, 1960.

  
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President  
  
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Commissioners