

Decision No. 60148**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 WILLIG FREIGHT LINES, a corporation,)
 to exclude beer and empty beer con-)
 tainers from common carrier certif-)
 icate.)

Application No. 42044

O P I N I O N

Willig Freight Lines, a corporation, operates as a highway common carrier of general commodities between numerous points in this State. It also holds, among others, a highway contract carrier permit. By this application, Willig seeks to limit its highway common carrier certificate so as to exclude therefrom the transportation of beer and empty beer containers.

The application alleges that Willig has, for more than 20 years, transported beer and empty beer containers on behalf of one brewery located in San Francisco; that the points of destination of the beer shipments, and the points of origin of the returning containers range from Alturas to Elythe; that the movement of these commodities is substantial; and that applicant does not transport beer or empty beer containers for any other shippers.

The competitors of the above-mentioned brewer, the application states, ship their products principally via permit carriers. The latter, as permit carriers, enjoy a flexibility in the matter of rate adjustments which is not available to certificated common carriers, such as Willig, who are subject to the slower processes of rate changes in published and filed tariffs. This circumstance assertedly has already resulted in loss of some of applicant's business to permit carriers. In order to avoid further traffic losses

applicant proposes to eliminate the commodities in question from its certificate and transport them as a contract carrier.

We conclude that public convenience and necessity do not require the transportation by applicant of beer and empty beer containers. The application will be granted. A public hearing is not necessary.

O R D E R

Application having been filed and the Commission being informed in the premises,

IT IS ORDERED:

1. That Appendix A of Decision No. 59397 is amended by incorporating therein First Revised Page 3, attached hereto and by this reference made a part hereof, which page cancels Original Page 3 of said appendix.

2. That Willig Freight Lines, a corporation, on not less than ten days' notice to the Commission and to the public, shall amend its tariffs to reflect the authority herein granted.

3. That the authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 27th day of May, 1960.

[Signature]
President
[Signature]
[Signature]
[Signature]
Commissioners

The following commodities shall not be transported:

- a. Used household goods and personal effects not packed in accordance with the crated property requirements as set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A.
- b. Liquids, compressed gases, commodities in semiplastic form nor commodities in suspension; liquids in bulk in tank trucks, tank trailers or tank and semitrailers or a combination of such highway vehicles.
- c. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
- d. Articles of extraordinary value.
- e. Automobiles, trucks or buses, new or used, finished or unfinished, viz.: passenger automobiles (including jeeps); ambulances; hearses; taxis; freight automobiles; automobile chassis; truck chassis; truck trailers; trucks and trailers combined; buses or bus chassis.
- f. Beer and empty beer containers.

Issued by California Public Utilities Commission.

Decision No. 60148, Application No. 42044.