

ORIGINAL

60833

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

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

In the Matter of the Application of )  
Walter Sphar, doing business as )  
Walter Sphar Trucking, P. O. Box 83, )  
Likely, California, to deviate from )  
established rates for the transpor- )  
tation of peat moss. }

Application No. 42378

ORDER OF DISMISSAL

By the above-entitled application, filed June 20, 1960, Walter Sphar, doing business as Walter Sphar Trucking, seeks authority as a highway contract carrier, under Section 3666 of the Public Utilities Code, to transport peat moss for Jeffery and Associates from Likely (Modoc County) to San Jose, Modesto, Sacramento, Stockton, Oakland and San Francisco, at a rate less than the minimum rate.

Applicant proposes to assess a rate of 50 cents per 100 pounds with an additional charge of \$7.50 per split delivery after the first delivery. The present minimum rates range from 48 to 59 cents per 100 pounds plus charges for each split delivery.<sup>1</sup>

The application alleges that the sought rate is necessary to meet an interstate rate maintained by Consolidated Freightways (formerly Nevada California Transportation Company). However, an investigation made by the Commission's staff discloses that the interstate rates published by Consolidated Freightways on peat moss from Likely to San Francisco Bay Area points, Sacramento, Stockton and San Jose range from 64 cents to 69 cents per 100 pounds, all of which are higher than the minimum rates.

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<sup>1</sup>

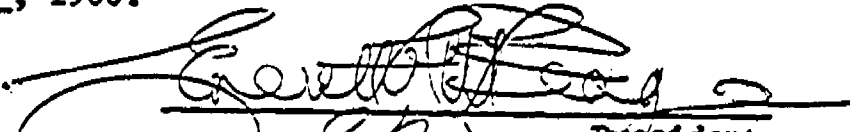
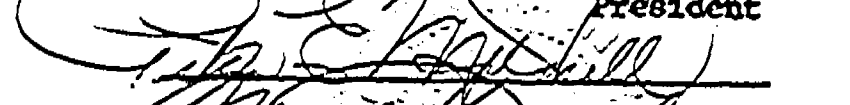

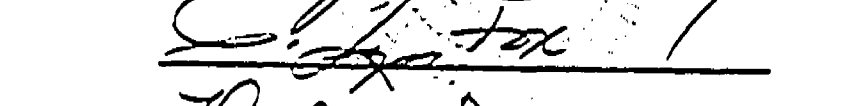
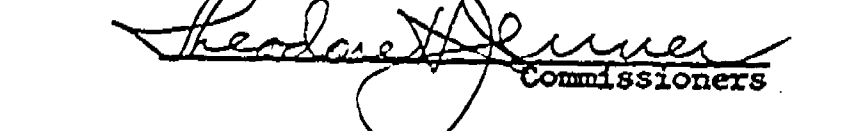
The charges for each split delivery will vary with the weight of each delivery.

Applicant was asked to clarify the application in view of the above data, but he has failed to answer the Commission's letter. In view of these circumstances the application will be dismissed.

Therefore, good cause appearing,

IT IS ORDERED that Application No. 42378 be and it is hereby dismissed.

Dated at San Francisco, California, this 4th  
day of October, 1960.

  
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President  
  
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Commissioners