

Decision No. 50945**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 WALTER L. WALDKIRCH, doing business)
 as an individual, for authority to)
 depart from the provisions of)
 Minimum Rate Tariff No. 2.)

Application No. 42509

OPINION AND ORDER

By this application, filed July 25, 1960, and amended August 19, 1960, Walter L. Waldkirch seeks authority under Section 3666 of the Public Utilities Code to use estimated weights instead of actual weights for the transportation, as a highway contract carrier, of rough green and kiln dried redwood lumber from the Hamilton Bros. Mill, near Crescent City, to a reloading yard near Arcata.

The amended application shows that the shipper is located approximately one mile south of the city limits of Crescent City and the reloading yard is located approximately one mile northeast of Arcata, that much of the transportation is carried on during hours that scales on the route are not open and that the location of other scales would require considerable additional mileage in order to obtain weights. Applicant states that during May and June of 1960 he obtained the weights of 77 loads of rough green redwood lumber and computed an average weight of 4.422 pounds per board foot, and for 7 loads of kiln dried redwood lumber he obtained an average weight of 1.984 pounds per board foot.

Notice of the filing of the application was given to competing carriers. The only protest received to the granting of the application has been withdrawn. A public hearing is not necessary.

In the circumstances herein involved, it appears that the requirement of weighing each shipment places an unwarranted burden on applicant. The use of estimated weights as developed by applicant appears proper. The Commission is of the opinion and hereby finds

that applicant's proposal is reasonable. The application, as amended, will be granted. Because the conditions under which the service is performed may change at any time, the authority will be limited to a one-year period.

Therefore, good cause appearing,

IT IS ORDERED:

1. That Walter L. Waldkirch be and he is hereby authorized, in lieu of securing actual weights of shipments of lumber transported from Hamilton Bros. Mill, near Crescent City, to Arcata, to use estimated weights of 4.422 pounds per board foot for rough green redwood lumber and 1.984 pounds per board foot for kiln dried redwood lumber.

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

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

Dated at San Francisco, California, this 25th day of OCTOBER, 1960.

[Handwritten signature]

President

Commissioners