

Decision No. 61431

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
J. CHRISTENSON CO., a corporation, )	Application No. 43039
to increase rates and charges for )	
temperature control service. )	

OPINION AND ORDER

By this application, filed January 4, 1961, J. Christenson Co., a highway common carrier, seeks authority to increase certain rates and charges on less than statutory notice and to depart from the long-and-short-haul provisions of the Public Utilities Code to the extent necessary to make the proposed rates effective.

The rates and charges herein involved are those maintained by applicant for the transportation of commodities and traffic for which minimum rates have not been established by the Commission. Applicant seeks to maintain such rates on the same general relationship to its class rates as it has maintained them over the past several years, and to maintain its rates for temperature control service on such traffic on the same general relationship as its rates for non-temperature control service on other traffic. The increases herein sought are related to rate increases recently established by the Commission for general commodities transported by for-hire carriers<sup>1</sup>

In justification of the sought authority, applicant alleges as follows:

1. Applicant has for many years been engaged in the transportation of many commodities, including so-called exempt commodities which are afforded temperature control service, upon which it publishes class and commodity rates in its tariff.

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<sup>1</sup> Decision No. 61177, dated December 13, 1960, in Case No. 5432 (Order Setting Hearing dated July 1, 1958) established in Minimum Rate Tariff No. 2 higher bases of rates for services of temperature control.

2. Historically and presently, the level of applicant's commodity rates on exempt commodities has been and is now depressed and, so your applicant believes, less than the level of rates that would apply in the absence of the exempt provisions in Minimum Rate Tariff No. 2.
3. Applicant maintains rates between points for which rates are not provided in Minimum Rate Tariff No. 2 which are depressed to meet permitted carrier competition which is free to assess any rates it may find convenient or necessary.
4. The transportation conditions, including the cost of rendering temperature control service, attending movement of the exempt commodities or movements under so-called exempt class and commodity rates which applicant seeks to increase by this application are no more favorable and are generally the same as those attending the movement under temperature control of commodities for which minimum rates are provided in Minimum Rate Tariff No. 2.
5. The authority sought to make the proposed increase effective on less than statutory notice is necessary to permit applicant to publish the proposed Temperature Control Service Conversion Table to be applicable concurrently on movements for which rates are provided and movements for which rates are not provided in Minimum Rate Tariff No. 2.
6. The long and short haul relief authority requested in this application is necessary because applicant's tariff is both intermediate and non-intermediate in application under previously granted authorities and any change in tariff would, it is believed, require additional authority.

The application shows that, on or about January 4, 1961, a copy thereof was served on interested parties including various chambers of commerce and the California Trucking Associations, Inc. No objection to its being granted has been received.

In the circumstances it appears, and the Commission finds, that the sought increases are justified. A public hearing is not necessary. The application will be granted.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That J. Christenson Co. is hereby authorized, on not less than five days' notice to the Commission and to the public, to increase its class and commodity rates and charges on commodities

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for which minimum rates have not been established including its rates and charges between points for which minimum rates have not been established by the same amounts authorized as minimum by Decision No. 61177, dated December 13, 1960, in Case No. 5432.

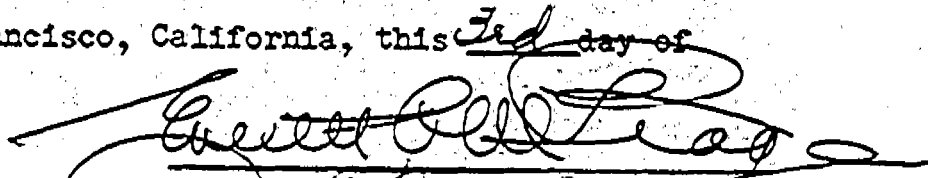
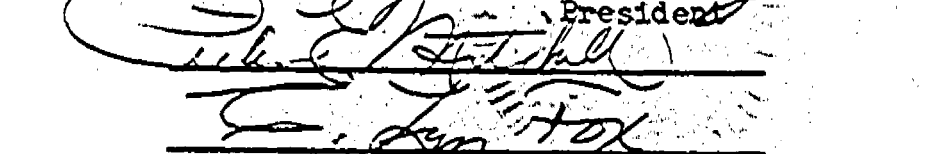
(2) That J. Christenson Co. is hereby authorized, on not less than five days' notice to the Commission and to the public, to increase its commodity rates on butter, cheese and margarine named in Item 3000 of Local Freight Tariff No. 1-A, Cal.P.U.C. No. 2 by the same amounts in cents per 100 pounds as the fourth class rates for the same distances named in Minimum Rate Tariff No. 2 have been increased by Decision No. 60621, dated August 23, 1960, in Case No. 5432.

(3) That applicant is hereby authorized to depart from the provisions of Article XII, Section 21 of the Constitution of the State of California, and Section 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 are hereby modified to the extent necessary to comply with this order; and that applicant in publishing rates under this authority shall make reference in its schedules to the prior orders authorizing long-and-short-haul departures and to this order.

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

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

Dated at San Francisco, California, this 7th day of February, 1961.

  
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President  
  
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Commissioners