

ORIGINALDecision No. 61499

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 TED PETERS TRUCKING COMPANY, INC.,
 a corporation, for an order amending
 its certificate of public convenience
 and necessity as a highway common
 carrier so as to exclude the trans-
 portation of certain liquid dairy
 products.

Application No. 43038

O P I N I O N

Ted Peters Trucking Company, Inc., is presently authorized to engage in the transportation of general commodities, with certain exceptions, between points in California as a highway common carrier. Among the commodities presently excluded from its certificated authority are:

"Liquid dairy products, in bulk in tank trucks or tank trailers."

Applicant now requests that the above exclusion be amended to read as follows:

"Liquid dairy products, fresh, in straight shipments in bulk in tank trucks or tank trailers, or in mixed shipments partially in bulk in such tank vehicles and partially in packages in trucks or trailers other than tank vehicles."

It is alleged that fresh liquid dairy products (milk, cream and buttermilk) whether shipped in bulk in tanks, in milk shipping cans or in bottles in cases or crates are exempt from the application of minimum rates established by the Commission and published in Minimum Rate Tariff No. 2; that it is almost impossible for applicant to keep its tariff rates adjusted on the commodities sought to be excluded so as to effectively meet the rates and charges

of permitted carriers which may be adjusted without notice or authority of this Commission; that the authority sought does not involve the exclusion of additional commodities, but rather provides for the exclusion of such commodities when included in additional forms of packaging.

After consideration, the Commission finds and concludes that public convenience and necessity no longer require applicant's service for the transportation of liquid dairy products in bulk or packaged forms. 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 Ted Peters Trucking Company, Inc., may discontinue transporting liquid dairy products in bulk or packaged form.
2. That after the effective date hereof and on not less than five days' notice to the Commission and to the public, applicant shall amend its tariffs on file with this Commission to reflect the authority herein granted.
3. That First Revised Pages 1 and 2 attached hereto are substituted in the place of Original Pages 1 and 2 of Appendix B attached to Decision No. 59826.

4. That the authority herein granted shall expire unless exercised within ninety days after the effective date hereof.

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

Dated at San Francisco, California, this 14th day of FEBRUARY, 1961.

Gregg W. Page
President
W. E. Mitchell
W. E. Fox
George H. Hoover
Fredrick B. Holcomb
Commissioners

Ted Peters Trucking Company, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport commodities generally, except:

- (1) Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A.
- (2) Automobiles, trucks and buses when transported on truck or trailer equipment specially designed for the transportation of vehicles.
- (3) Livestock, viz.: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine.
- (4) Liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.
- (5) Commodities when transported in conventional tilt dump trucks.
- (6) Commodities when transported in vehicles equipped for mechanical mixing in transit.
- (7) Fruits and vegetables having origin in fields of growth and consigned to cold storage, canneries, packing sheds, packing houses, or other processing facilities.
- (8) Cans, metal, tin plated or not tin plated, with or without ends.
- (9) Cotton, Cotton Linters and Cotton Motes.
- (10) Liquid dairy products, fresh, in straight shipments in bulk in tank trucks or tank trailers, or in mixed shipments partially in bulk in such tank vehicles and partially in packages in trucks or trailers other than tank vehicles.
- (11) Fruit pies, frozen, as described in Item No. 40580, meat pies, frozen, as described in Item No. 40570, Dough, frozen, as described in Item No. 39780, and cream pies, cakes, cookie rolls, frozen, as described in Item No.

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39990 of Western Classification No. 77, J. P. Hackler, Tariff Publishing Officer, in straight or mixed shipments, on the effective date thereof.

- (12) Fresh frozen fruit and Fresh frozen berries.
- (13) Logs.

FROM, TO AND BETWEEN:

- (a) All points and places on or within 20 miles of:
 - (1) U.S. Highway 40 between San Francisco and Roseville.
 - (2) U.S. Highway 99 between Sacramento and Redlands.
 - (3) U.S. Highway 50 between San Francisco and Stockton.
 - (4) State Highway 4 between its intersection with U.S. Highway 40, near Pinole, and Stockton.
 - (5) State Highway 33 between its intersection with U.S. Highway 50, near Tracy, and Maricopa.
 - (6) U.S. Highways 101 and 101-A between Santa Rosa and San Ysidro.
 - (7) U.S. Highway 99-E between Chico and Roseville.
 - (8) State Highway 48 between Ignacio and Vallejo.
 - (9) U.S. Highway 395 between Riverside and San Diego.
 - (10) State Highway 152 between Gilroy and Califa.
 - (11) State Highway 17 between Oakland and San Jose.
- (b) All points and places in Los Angeles Basin Territory, as described in Appendix C attached hereto, locally and between all such points, on the one hand, and points and places on routes (a)(1) through (a)(11) above, on the other hand.

EXCEPTIONS: No local service shall be rendered between points and places in San Francisco-East Bay Cartage Zone, as described in Appendix D attached hereto, on the one hand, and points and places in Marin, Sonoma, or Napa Counties north of San Rafael, on the other hand.

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