

Decision No. 62111

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into)  
the rates, rules, regulations, charges, )  
allowances and practices of all common )  
carriers, highway carriers and city )  
carriers relating to the transportation )  
of any and all commodities between and )  
within all points and places in the )  
State of California (including, but not )  
limited to, transportation for which )  
rates are provided in Minimum Rate )  
Tariff No. 2). )

Case No. 5432  
(Order Setting Hearing  
dated July 1, 1958)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 61177, dated December 13, 1960, in this proceeding, certain minimum rates and rules were prescribed in Minimum Rate Tariff No. 2 for temperature control service by highway carriers. The rates and rules established by that decision apply only for the transportation of commodities for which minimum rates have been established by the Commission.

Various common carriers provide temperature control service in connection with rates published between points and on commodities for which rates are not provided in Minimum Rate Tariff No. 2. Transportation conditions, including the cost of rendering temperature control service attending the movement of this traffic, are no more favorable and are generally the same as those attending the movement under temperature control of traffic for which minimum rates are provided in Minimum Rate Tariff No. 2. In the circumstances, common carriers will be authorized to publish the rates and rules established by Decision No. 61177, supra, to apply for the aforesaid transportation. The Commission finds that increased charges resulting therefrom are justified. A public

hearing is not necessary. Inasmuch as the minimum rates for temperature control service are in effect, the order herein will be made effective ten days after the date hereof.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That common carriers providing temperature control service in connection with rates published between points and on commodities for which rates are not provided in Minimum Rate Tariff No. 2 are hereby authorized, on not less than five days' notice to the Commission and to the public, to publish in their tariffs, in the same manner and form, the rates and rules established by Decision No. 61177, dated December 13, 1960, as amended, in this proceeding, for the aforesaid transportation.

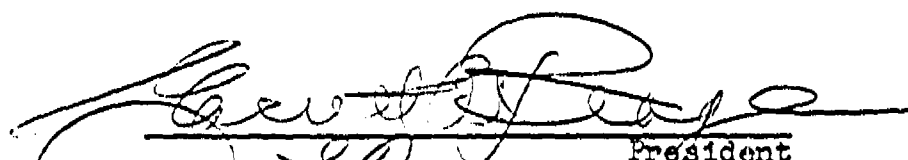

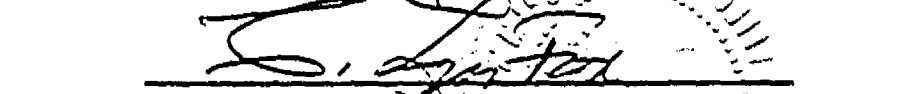


(2) That common carriers, in establishing and maintaining the rates and rules authorized herein, are hereby authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California, and Section 460 of the Public Utilities Code to the extent necessary to adjust 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 common carriers in publishing rates under this authority shall make reference in their schedules to the prior orders authorizing long-and-short haul departures and to this order.

(3) That tariff publications authorized to be made by common carriers as a result of the order herein may be filed not earlier than the effective date hereof, to become effective on not less than five days' notice to the Commission and to the public.

(4) That the authority herein granted shall expire unless exercised within 120 days after the effective date of this order.

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

Dated at San Francisco, California, this 6<sup>th</sup> day of June, 1961.

  
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President  
  
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Commissioners