

**ORIGINAL**

Decision No. 62845

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  
(Petition for Modification  
No. 238)  
(Filed October 10, 1961)

OPINION AND ORDER

Devine & Son Trucking Co., a corporation, operates as a highway common carrier of lumber. By this petition, it seeks authority to publish a rate of 6 cents per 100 pounds, subject to a minimum weight of 44,000 pounds, for the transportation of lumber from Elk Creek to Willows. The applicable minimum rate is 10½ cents per 100 pounds, minimum weight 44,000 pounds.

Petitioner states that continuously since 1953 it has engaged in the transportation of lumber from Elk Creek to Willows, the nearest available railhead, where said lumber is loaded into railroad cars and shipped to interstate destinations. According to the petition, the interstate rate for this transportation is 6 cents per 100 pounds, minimum weight 40,000 pounds.

Assertedly, due to changes in shipper needs, petitioner finds increasing requests for transportation service on shipments of lumber from Elk Creek to Willows railhead with destination points located within California, and therefore it is necessary,

if it is to perform this service in the future, that it publish uniform rates for the same service.

Petitioner alleges that the transportation involved herein has produced revenues sufficient to defray the cost of rendering the service, plus a fair and just profit. A cost study submitted with the petition indicates that the proposed rate will be compensatory.

On or about October 9, 1961, a copy of the petition was served on California Trucking Associations, Inc. No objection to the granting of the petition has been received. The Transportation Division staff has reviewed the petition and has recommended that it be granted.

In the circumstances, it appears, and the Commission finds, that the proposed rate is reasonable and justified by transportation conditions. A public hearing is not necessary. The petition will be granted. Because the conditions under which the service is performed may change at any time, the authority will be made to expire at the end of one year.

Good cause appearing,

IT IS ORDERED that:

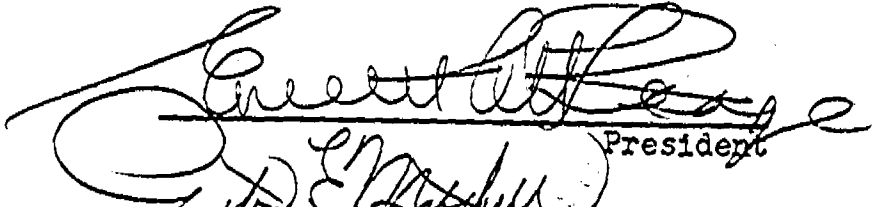


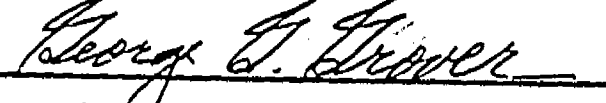

(1) Devine & Son Trucking Co., a corporation, is hereby authorized to publish and file, and to make effective on not less than five days' notice to the Commission and to the public, a rate of 6 cents per 100 pounds, minimum weight 44,000 pounds, for the transportation of lumber from Elk Creek to Willows.

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(2) The authority herein granted shall expire with  
December 11, 1962.

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

Dated at San Francisco, California, this 21st day of  
November, 1961.

  
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President  
  
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Commissioners