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ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Clark Coffelt, doing business) Application No. 44078
as an individual, for Authority) (Filed January 4, 1962)
to Depart from the provisions)
of Minimum Rate Tariff No. 2.)

OPINION AND ORDER

Applicant holds radial highway common carrier and highway contract carrier permits. By Decision No. 61456 dated February 7, 1961, in Application No. 41925, he was authorized to assess a rate less than the established minimum rate but not less than $2\frac{1}{2}$ cents per 100 pounds, subject to a minimum weight of 44,000 pounds, for the transportation of lumber between the mill of Brightwood Lumber Company located 2.8 miles west of Arcata, and Arcata, and to base the charges therefor on a provided weight of three pounds per board foot of lumber. The authority is scheduled to expire February 27, 1962.

By this application, an extension of the current authority is sought for a further one-year period. Applicant also proposes that the authority be modified by adjusting the rate of $2\frac{1}{2}$ cents¹ to $2\frac{3}{4}$ cents per 100 pounds. Applicant avers that one-quarter of a cent is the amount of the increase in the minimum rate, subject to a minimum weight of 44,000 pounds, for distances not exceeding three miles established effective December 16, 1961, by Decision No. 62782 in Case No. 5432. He is of the opinion that the proposed rate of $2\frac{3}{4}$ cents will be reasonably compensatory.

¹

No authority for the increase is required from this Commission inasmuch as applicant is a permitted carrier for which only minimum rates have been established. Authority for the use of the sought rate after February 27, 1962, is required, however, inasmuch as the rate is below the minimum rate otherwise applicable and the provided weight is on a basis different from that prescribed in the minimum rate orders.

Applicant alleges that the conditions upon which the initial request in the original application, as amended, were predicated continue to exist; that approximately 750,000 pounds of lumber are being hauled per day from the sawmill of the Brightwood Lumber Company to the planing mill of the All-Brite Lumber Company; that loading and unloading are quickly accomplished with fork-lift trucks furnished by the mills and operated by mill employees; and that the transportation service involved is an unusually efficient one. A financial statement submitted with the application indicates that a satisfactory return was received from the operation during the year ended December 31, 1961.

Applicant asserts that there is no public scale located in the area between the sawmill and the planing mill; that to travel to the nearest scale with a load involves a round-trip distance beyond the planing mill and return thereto of 1.6 miles; that the street on which the scale is located has considerable traffic; that generally trucks are lined up waiting to be weighed; that scale weights, under the circumstances recited, would necessitate the augmenting of his equipment; that he has secured actual weights of representative shipments; and that such weights have consistently averaged approximately three pounds per foot of lumber.

The verified application shows that, on or about January 3, 1962, a copy thereof was mailed to various interested parties including California Trucking Associations, Inc. No objection to its being granted has been received. The Transportation Division staff has reviewed the verified application and has recommended the sought authority be granted.

In the circumstances, it appears, and the Commission finds, that the proposed rate is reasonable. This is a matter in which a public hearing is not necessary. The application will be granted.

Good cause appearing,

IT IS ORDERED that:


1. Clark Coffelt is hereby authorized to transport lumber between the mill of Brightwood Lumber Company, located approximately three miles west of Arcata, and Arcata, at a rate less than the established minimum rate, but not less than 2-3/4 cents per 100 pounds, subject to a minimum weight of 44,000 pounds.


2. Clark Coffelt is hereby authorized to assess charges for the transportation described in Ordering Paragraph 1 hereof on the basis of a provided weight of three pounds per board foot of lumber in lieu of actual weights.


3. The authority herein granted shall, on and after February 27, 1962, supersede the authority granted by Decision No. 61456 and shall expire with February 27, 1963.

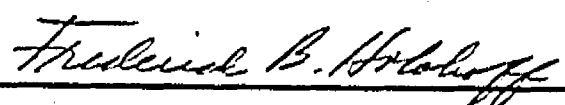
This order shall become effective February 27, 1962.

Dated at San Francisco, California, this 20th day of February, 1962.



President






Commissioners

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.