

64367

ORIGINAL

Decision No. _____

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 relat-)
ing to the transportation of fresh)
or green fruits and vegetables and)
related items (commodities for)
which rates are provided in Minimum)
Rate Tariff No. 8.))

Case No. 5438
(Petition for Modification No. 34)
(Filed September 17, 1962)

OPINION AND ORDER

Decision No. 60445 dated July 26, 1960, established in Minimum Rate Tariff No. 8 a rate of 32 cents per 100 pounds, minimum weight 40,000 pounds, for the transportation of potatoes from the Guadalupe area to Shafter and points within one air mile of Shafter. The rate was established to expire July 1, 1961; and was later extended to July 1, 1962 (Decision No. 61976 dated May 9, 1961).¹ By Decision No. 63122 dated January 16, 1962, incidental to a general rate adjustment made at that time, the rate was increased to 33 cents per 100 pounds.

The rate expired July 1, 1962. By petition filed September 17, 1962, California Trucking Associations, Inc., asks that the rate be reestablished with an expiration date of July 1, 1963, and that common carriers be granted the usual authority to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code to the extent necessary to maintain the minimum rates at intermediate points.

Petitioner states that a timely petition to prevent the expiration of the rate was not filed due to inadvertence and carrier misunderstanding concerning the extent of an investigation of Minimum Rate Tariff No. 8 currently being conducted as requested in Petitions Nos. 29 and 30. Petitioner avers that the rate has been in the interest of both carriers and shippers and that it should remain effective pending the completion of the investigation.

¹ The expiration date was established in order to provide an opportunity for review following a harvest season experience.

Petitioner states that on or about September 14, 1962, copies of the petition were served upon the California Farm Bureau Federation and the California Potato Growers Association. No objection to the granting of the petition has been received.

The rate in question was based upon evidence introduced by the Commission's staff in the form of a staff exhibit setting forth the results of a staff study. The study was made in response to a petition filed by the California Trucking Associations, Inc. (Petition for Modification No. 23). The rate is lower than the minimum rates which otherwise would be applicable.

Inasmuch as the further review contemplated by Decision No. 60445 has not been completed, it is reasonable and appropriate that the rate be reestablished and continued as now proposed by petitioner.

In the circumstances, it appears and the Commission finds, that reestablishment of the rate in question, to expire with July 1, 1963, is reasonable and justified. A public hearing is not necessary. The petition will be granted.

Good cause appearing,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 8 (Appendix "C" of Decision No. 33977, as amended) is hereby further amended by incorporating therein, to become effective November 24, 1962, Tenth Revised Page 34, which revised page is attached hereto and by this reference made a part hereof.

2. Tariff publications authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this order, and may be made effective on not less than ten days' notice to the

Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff page incorporated in this order.

3. Common carriers are hereby authorized to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code to the extent necessary to publish the rate herein established while maintaining minimum rates at intermediate points; and schedules containing the rate published under this authority shall make reference to this order.

4. In all other respects, the aforesaid Decision No. 33977, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 9th day of October, 1962.

George T. Grover
President
Walter D. Mitchell
Carroll A. Long
Frederick B. Holbrook
Commissioners

Item No.	SECTION NO. 2 - POINT TO POINT COMMODITY RATES (In Cents per 100 Pounds)				
POTATOES (OTHER THAN SWEET POTATOES OR YAMS) AND ONIONS, Minimum Weight 40,000 Pounds (See Note 4)					
TO Delivery Zone (See Note 2)		Potatoes or Onions in 100-pound Sacks or Crates and 110-pound Crates		Potatoes or Onions in Sacks or Cartons, 50 Pounds or Less	
		FROM (See Note 1) Area A Area B		FROM (See Note 1) Area A Area B	
1	50	56	54	58	
2	47	52	49	55	
3 (See Note 3)	37	35	39	37	
4	50	47	54	49	
<p>NOTE 1: Producing Areas are described as follows:</p> <p>(a) Area A includes all points within a radius of five miles of the town of Pixley, in Tulare County, and the points south thereof on U. S. Highway No. 99 to the Kern County line; also all points in Kern County lying north of State Highway No. 178.</p> <p>(b) Area B includes all of Kern County lying south of producing Area A; and the area bounded as follows: from the Kern County line southerly along U. S. Highway No. 99 to a point $\frac{1}{4}$ mile south of State Highway 138, easterly along an imaginary line $\frac{1}{4}$ mile south of State Highway 138 to U. S. Highway No. 6, northerly along U. S. Highway No. 6 to the Kern County line, westerly along the Kern County line to point of beginning.</p> <p>NOTE 2: Delivery Zones are as follows:</p> <p>(a) Zone 1 includes all of Alameda County and the San Francisco pickup and delivery zone as described in Item No. 272.</p> <p>(b) Zone 2 is the Sacramento Territory as described in Item No. 282.</p> <p>(c) Zone 3 is the Los Angeles Territory as described in Item No. 281.</p> <p>(d) Zone 4 is the San Diego Territory as described in Item No. 282.</p> <p>NOTE 3: See special Los Angeles Single Market Area described in Item No. 290.</p> <p>NOTE 4: If the charges accruing under the rates named in this item, applied on shipments from, to or between points intermediate between origin and destination points via Routes Nos. 8, 9, 10 and 11, shown in Item No. 500, are lower than charges accruing under the distance commodity rates in Items Nos. 300 and 301 on the same shipment via the same route, such lower charges will apply.</p>					

335

POTATOES, in bulk, loaded by the consignor and unloaded by gravity, Minimum Weight 40,000 pounds

	From	To	Rate
* (1)336	Guadalupe and all points and places within ten air miles of the City of Guadalupe.	Shafter and all points and places within one air mile of the City of Shafter.	33

(1) Expires with July 1, 1963

* Addition
o Reduction

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EFFECTIVE NOVEMBER 24, 1962

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.

Correction No. 258