

Decision No. 65168

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
FRUITVALE DRAYAGE, INC., a)	
California corporation, for authority))	Application No. 45009
to deviate from the minimum rates)	(Filed December 6, 1962)
authorized by Minimum Rate Tariff)	(Amended March 20, 1963)
No. 8.)	

OPINION AND ORDER

Applicant holds radial highway common carrier, highway contract carrier and city carrier permits. By this application it seeks authority to assess monthly vehicle unit rates for the transportation of fresh or green fruits and vegetables; nuts, in the shell; and fresh mushrooms for Louis Stores between the shipper's warehouse in Emeryville and its retail stores, and between such retail stores.

The application states that for many years past applicant and its predecessor have been engaged exclusively in the transportation of groceries and related items for Louis Stores. According to applicant, it has been performing this transportation under the monthly vehicle unit rate provisions established by this Commission. The application also states that it has come to applicant's attention that included in the items transported for Louis Stores are fruits, vegetables, nuts and mushrooms, to which the aforesaid vehicle unit rates do not apply; that such commodities are part of the regular transportation performed for Louis Stores and are handled and transported in the same fashion as grocery items; and that, if applicant is required to rate such commodities independently, the cost of transportation will be greatly increased.

Copies of the verified application and the amendment thereto were mailed to the California Trucking Association. No objection to granting of the sought authority has been received.

The Commission finds under the circumstances involved in this proceeding that the application of the established monthly vehicle unit rates to the specified additional commodities as herein proposed is reasonable. The following order will authorize applicant to transport such commodities at the present monthly vehicle unit rates from the effective date hereof until such rates are superseded, and to transport these commodities thereafter at the monthly vehicle unit rates then established in their stead.¹ However, as the conditions surrounding the transportation may change, this authority will be limited to one year.

A public hearing is not necessary.

Good cause appearing,

IT IS ORDERED that:

1. Fruitvale Drayage, Inc., a corporation, is hereby authorized to assess monthly vehicle unit rates for the transportation of nuts in the shell, fresh mushrooms, and fruits and vegetables (not cold pack nor frozen) for Louis Stores between the latter company's warehouse in Emeryville and its retail stores and between its retail stores. The monthly vehicle unit rates to be assessed shall be no lower than those set forth in Minimum Rate Tariff No. 2 and City Carriers' Tariff No. 2-A-Highway Carriers' Tariff No. 1-A until such rates are superseded, and thereafter shall be no lower than those then established by the Commission in their stead.

¹By Decision No. 65072, dated March 12, 1963, in Cases Nos. 5432, 5435, 5439, 5441 and 5603 (Order Setting Hearing dated April 24, 1962, as amended June 12, 1962), the Commission promulgated yearly, monthly and weekly vehicle unit rates in a separate tariff designated as Minimum Rate Tariff No. 15, to become effective May 1, 1963. A Petition for Rehearing was filed March 21, 1963, by California Trucking Association.

2. The authority herein granted shall expire one year after the effective date of this order unless sooner canceled, changed or extended by order of the Commission.

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

Dated at San Francisco, California, this 2nd day of April, 1963.

George A. Trover
President
[Signature]
[Signature]
Frederick B. Hallock
William M. Burnett
Commissioners