

**ORIGINAL**Decision No. 65172

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of WALTER F. PETERS and MYRON D. )  
PETERS, a copartnership, doing ) Application No. 45173  
business as PETERS TRUCK LINES, )  
to exclude potatoes from Common )  
Carrier Certificate. )

OPINION AND ORDER

Walter F. Peters and Myron D. Peters, doing business as Peters Truck Lines, request that their certificate to operate as a highway common carrier be amended to exclude therefrom the transportation of potatoes.

Applicants are authorized to transport general commodities between San Francisco and the Oregon line via Valley highways.

It is alleged that applicants transport raw potatoes principally from points of origin in the lateral areas off main highways, which they are authorized to serve; that said traffic is important because it generally moves southbound and tends to balance their operations; that applicants compete for the movement of raw potatoes with radial highway common carriers who are not required to file tariffs; that these competitors are in a position to readily and immediately change their rates without the necessity of tariff publications or hearings; and that applicants' principal shipper of raw potatoes has informed applicants that unless their rates are competitive he will divert his traffic to the radial carriers.

After consideration the Commission finds that public convenience and necessity do not require that applicant transport raw potatoes as a highway common carrier. A public hearing is not necessary.

IT IS ORDERED that:

1. Walter F. Peters and Myron D. Peters are hereby authorized to discontinue the transportation of raw potatoes as a highway common carrier effective concurrently with the effective date of tariff filings required in paragraph 3 hereof.

2. Appendix A of Decision No. 60602 is amended by incorporating therein First Revised Page 3, attached hereto, in revision of Original Page 3.

3. Within one hundred twenty days after the effective date hereof and on not less than ten days' notice to the Commission and to the public, applicants shall amend their tariffs presently on file with the Commission to reflect the authority herein granted.

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 T. Grover  
President

Robert R. Phillips

Carroll W. Page

Fredrick B. Holdhoff

Dallan W. Bennett  
Commissioners

Appendix A

Walter F. Peters  
and  
Myron D. Peters

First Revised Page 3  
Cancels  
Original Page 3

Applicants shall not transport any shipments of:

1. Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A.
2. Livestock, viz.: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine.
3. Liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.
4. Articles of extraordinary value as set forth in Rule 3 of Western Classification No. 77, J. P. Hackler, Tariff Publishing Officer, on the issue date hereof.
5. Raw potatoes.

Through routes and rates may be established between any and all points specified herein.

Issued by California Public Utilities Commission.

Decision No. 65172, Application No. 45173.