

Decision No. 65692

ORIGINAL

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 car-)
riers 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. 296)
(Filed April 1, 1963)

OPINION AND ORDER

Leonard E. Shaha, doing business as Petrolia Stage, operates under a radial highway common carrier permit. He transports property between points in Humboldt County between Ferndale and Honeydew via Petrolia, serving ranchers and small country stores. He states that he runs this operation as an accommodation in conjunction with the delivery of United States mail which he performs under contract.

Petitioner alleges that the rates and charges set forth in Minimum Rate Tariff No. 2 are too high for this particular service, thus creating hardships on the ranchers and himself. By this petition, he seeks exemption from the applicable minimum rates and charges as set forth in Minimum Rate Tariff No. 2.

Petitioner states that he has no competition and that the operation of a freight line in this remote area would be unprofitable unless run in conjunction with the United States mail contract. The people in the area have no other means of getting their commodities. He states that he has no intention of expanding his business and avers

that the proposed exemption will alleviate his bookkeeping expense and enable the people in the area to use his service. Should the sought relief not be granted, he assertedly will be forced to discontinue the service and thereby create a problem for the people in the Petrolia-Honeydew area.

A copy of the petition was served on the California Trucking Association on or about April 15, 1963. No objection to its being granted has been received.

Upon consideration of the allegations in this petition, the Commission finds that the proposed exemption from the minimum rates is justified. A public hearing is not necessary. The petition will be granted.¹

Good cause appearing,

IT IS ORDERED that Leonard E. Shaha is hereby authorized to deviate from the minimum rates and tariff rules otherwise applicable for the transportation of property between points on and within one mile laterally of the highway connecting Ferndale and Honeydew, inclusive, via Petrolia.

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The Commission heretofore has stated as a matter of policy that whenever any highway carrier requests authority to depart from the provisions of the established minimum rates, the order granting such relief should prescribe the minimum rates to be assessed by that carrier in lieu thereof. (Decision No. 61626 dated March 7, 1961, in Case No. 5432, Petition for Modification No. 205.) Exception to the general policy is proper in this instance because of the absence of competitive considerations in the relatively remote area herein involved.

C. 5432 (Pet. 296) - ehh

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

Dated at San Francisco, California, this 9th day of
July, 1963.

William L. Bernard
President
John L. Fitch
Ernest W. Page
George G. Grover
Fredrick B. Holbrook
Commissioners