

ORIGINAL

Decision No. 65956

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)	Case No. 5432
and city carriers relating to the)	(Petition for Modification
transportation of any and all)	No. 304)
commodities between and within all)	(Filed July 18, 1963)
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).)	

OPINION AND ORDER

By Decision No. 64241 dated September 11, 1962, Winans Bros. Trucking Co., a corporation, operating as a highway common carrier, was authorized to publish and file a rate of 16½ cents per 100 pounds, minimum weight 53,000 pounds, for the transportation of lumber and green veneer from Hayfork (Trinity County) to Redding and all points and places within five air line miles of the intersection of Market and Yuba Streets in Redding. This rate is lower than the established minimum rate and is published to expire with September 26, 1963. By this petition, authority is sought to continue to maintain the currently authorized rate for an additional one-year period.

Petitioner alleges that the favorable transportation characteristics which are of record in prior proceedings continue to exist. The favorable factors include substantial volume and consistency of traffic, mechanical loading and unloading of shipments, improved highway conditions, and equipment capable of transporting loads weighing 53,000 pounds.

Petitioner avers that a highway realignment between the points herein involved is expected to be completed by September of this year and that the resultant saving in travel time will more than compensate for recent increased costs experienced for labor and fuel.

Petitioner asserts that the transportation involved approximates 40,000,000 board feet per year, continues to prove profitable and is of vital importance to its operations. Unless the shipper is accorded the benefit of the sought rate, petitioner states that the traffic will be lost to proprietary operations.

The verified petition shows that, on or about July 17, 1963, a copy thereof was mailed to the California Trucking Association and other interested parties. No objection to the granting of the petition has been received.

Petitioner has been performing the transportation herein involved at a rate less than the minimum rate since 1954. Petitioner is not competitively advantaged over other carriers by the authority herein involved, inasmuch as the authorized rate necessarily is published in petitioner's common carrier tariff and is thus available to other carriers under the alternative provisions of the minimum rate tariff.

In the circumstances, it appears and the Commission finds that the proposed rate is reasonable and justified by transportation conditions. A public hearing is not necessary. The petition will be granted.

In view of the impending expiration date of the current authority, the order which follows will be made effective September 16, 1963.

Good cause appearing,

IT IS ORDERED that:

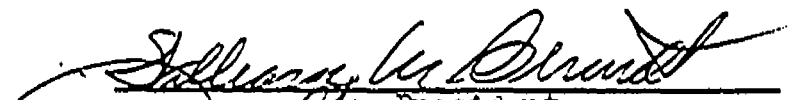
1. Winans Bros. Trucking Co., a corporation, is hereby authorized to publish and file, to expire with September 26, 1964, a rate of 16½ cents per 100 pounds, minimum weight 53,000 pounds, for the transportation of lumber and green veneer from Hayfork (Trinity County) to Redding and all points and places within five air line miles of the intersection of Market and Yuba Streets in Redding.

2. Tariff filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and to the public.

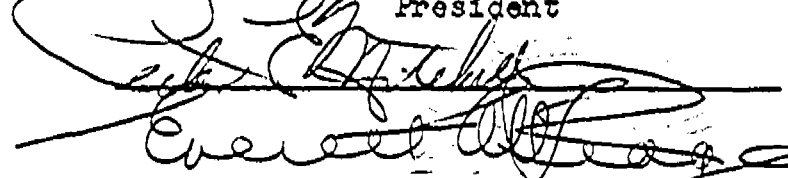
3. Winans Bros. Trucking Co. is hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to maintain the established minimum rates at points intermediate between Hayfork, on the one hand, and Redding and points and places within five air line miles of the intersection of Market and Yuba Streets in Redding, on the other hand. Schedules containing the rate published under this authority shall make reference to this order.

The effective date of this order shall be September 16, 1963.


Dated at San Francisco, California, this 3rd day of September, 1963.



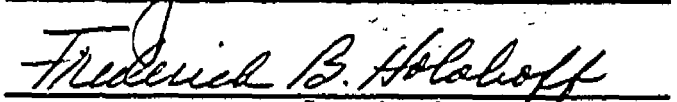
President



Everett W. Page



George A. Grover



Frederick B. Holbrook
Commissioners