

ORIGINAL

Decision No. 66444

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of MILES MOTOR TRANSPORT SYSTEM,)	
a corporation, for modification)	Application No. 45915
of its certificate of public con-)	
venience and necessity.)	

O P I N I O N

Miles Motor Transport System, presently operating as a permitted and highway common carrier, requests that its certificated authority be amended by excluding therefrom the right to transport empty containers and pallets used for the transportation of agricultural commodities.

Applicant's certificate is presently restricted as follows:

- "6. Agricultural commodities in the natural state and which have not been processed or partially prepared for human consumption."

Applicant requests that its operating authority be further amended so that said exclusion No. 6 will be modified to read as follows:

- "6. Agricultural commodities in the natural state and which have not been processed or partially prepared for human consumption; and empty containers and pallets used or shipped out for use in connection with such commodities."

It is alleged that applicant is heavily engaged, as a permit carrier, in the transportation of fresh fruits and vegetables to canneries and processing plants in various parts of the state, and transports huge quantities of such commodities; the transportation of such commodities is exempt from the minimum rate orders issued from time to time by this Commission; in connection with the

transportation of such commodities applicant is called upon by canneries and processing plants to move containers and pallets between canneries and processing plants, on the one hand, and fields or other harvesting points, on the other hand, which containers and pallets are utilized in the transportation of such unprocessed agricultural commodities to canneries and processing plants; numerous of applicant's shippers have requested applicant to consider the transportation of such empty containers and pallets in connection with the transportation rates negotiated by applicant with its customers for the transportation of such fresh fruits and vegetables; and not only the transportation of such fresh fruits and vegetables is exempt from the minimum rate orders, but the transportation of empty containers used or shipped out for use for such transportation is likewise.

After consideration, the Commission finds that public convenience and necessity no longer require the transportation by applicant, as a highway common carrier, of the commodities herein considered, and concludes that the application should be granted. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Miles Motor Transport System is hereby authorized to discontinue the transportation, as a highway common carrier, of the commodities heretofore described concurrently with the effective date of tariff filings required in paragraph 3 hereof.
2. First Revised Page 3 attached hereto is hereby substituted in the place and stead of Original Page 3 of Appendix A attached to Decision No. 60784 in Application No. 41412.

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, applicant shall amend its 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 10th day of DECEMBER, 1963.

William C. Burns
President
Robert E. Smith
Edward A. King
George H. Trover
Frederick B. Hallock
Commissioners

Appendix A

MILES MOTOR TRANSPORT SYSTEM
(a corporation)

First Revised Page 3
Cancels
Original Page 3

6. Agricultural commodities in the natural state and which have not been processed or partially prepared for human consumption; and empty containers and pallets used or shipped out for use in connection with such commodities.
7. Fertilizers as described in Items Nos. 535, 540 and 550 of Pacific Southcoast Freight Bureau, Agent, Exception Sheet No. 1-S, M. A. Nelson, Tariff Publishing Officer.
8. Explosives as described in and subject to the regulations of Agent H. A. Campbell's Tariff No. 10.
9. 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 thereof.

Issued by California Public Utilities Commission.

Decision No. 65444, Application No. 45915.