

**ORIGINAL**

Decision No. 67704

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 carriers 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. 346)  
(Filed July 7, 1964)

OPINION AND ORDER

By Decision No. 65955 dated September 3, 1963,<sup>1</sup> Devine & Son Trucking Co., a corporation, was authorized as a highway common carrier to publish a rate of 20 cents per 100 pounds, minimum weight 43,000 pounds, for the transportation of lumber from Elk Creek (Glenn County) to Sacramento. This rate is lower than the established minimum rate for this transportation.<sup>2</sup> The authorized rate is scheduled to expire with September 14, 1964. By this petition, authority is sought to continue to maintain in petitioner's tariff the currently authorized rate for an additional one-year period.

Petitioner alleges that it has continuously maintained the authorized rate pursuant to the authority contained in Decision No. 65955, supra, and it has continuously engaged in the transportation

---

<sup>1</sup>Case No. 5432, Petition for Modification No. 302.

<sup>2</sup>The truckload minimum rate currently in effect for the transportation involved herein is 25½ cents per 100 pounds, minimum weight 44,000 pounds.

of shipments of lumber from Elk Creek to Sacramento under that rate. It is further alleged that the transportation of such lumber shipments has produced revenue more than sufficient to defray the cost of rendering the service and allow for a reasonable profit.

Petitioner asserts that, while labor costs and related taxes have increased, running costs and fixed expenses have been substantially the same and gross revenue expenses have been reduced due to lower insurance costs. A cost study submitted with the petition indicates that petitioner's operation has been profitable during the past year and may reasonably be expected to be profitable for the ensuing year.

Copy of the petition was served on California Trucking Association on or about July 14, 1964. No objection to the granting of the petition has been received.

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.

IT IS ORDERED that:

1. Devine & Son Trucking Co., a corporation, is hereby authorized to publish and file, to expire with September 14, 1965, a rate of 20 cents per 100 pounds, minimum weight 43,000 pounds, for the transportation of lumber from Elk Creek (Glenn County) to Sacramento.

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

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 11<sup>th</sup> day of August, 1964.

Frederick B. Halchoff  
President  
John E. [unclear]  
Walter [unclear]  
George A. [unclear]

Commissioners  
Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.