

Decision No. 67944

**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 car- )  
riers 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. 356)  
(Filed August 20, 1964)

OPINION AND ORDER

By Decision No. 66031, dated September 17, 1963, in Case No. 5432, C. R. Von Arx and L. R. Von Arx doing business as River-view Logging Co., was authorized as a highway common carrier to publish a rate of 7 cents per 100 pounds, minimum weight 45,000 pounds, for the transportation of sawdust, in bulk, from Cloverdale to Shiloh. The rate was published to expire with October 1, 1964. The rate is lower than the established minimum rate for this transportation.<sup>1</sup> By this petition C. R. Von Arx and L. R. Von Arx seek authority to continue to maintain the deviation from the minimum rates for a further one-year period.

<sup>1</sup>

The rate is subject to the conditions that it shall apply only (1) via the routing U. S. Highway 101 direct from Cloverdale to Shiloh; (2) when the carrier furnishes only the tractor; and (3) when the trailer equipment is furnished by the consignee without charge to the carrier, said trailer equipment to be provided with mechanical unloading device.

Petitioners state that the circumstances which originally justified the authority continue to exist, and the rate authorized is just and reasonable for application to this traffic. Based upon their experience during the past year in performing this service petitioners are satisfied that they can continue to provide the service proposed at the rate heretofore authorized and proposed herein at a satisfactory profit, and that said minimum rate is fully compensatory.

Petitioners aver that since January 1, 1964, they have transported 254 loads of sawdust under this rate and the total revenue realized was \$8,001.00. The total expense during this period was \$6,792.90 resulting in a net profit of \$1,208.10.

The certificate of service shows that a copy of petition was mailed to California Trucking Association on August 19, 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. A public hearing is not necessary. The petition will be granted.

In view of the expiration date of the current authority, the order which follows will be made effective on October 1, 1964.

IT IS ORDERED that:

1. C. R. Von Arx and L. R. Von Arx, doing business as Riverview Logging Co., are hereby authorized to transport sawdust, in bulk, from Cloverdale to Shiloh at a rate less than the established minimum rate but not less than 7 cents per 100 pounds, minimum weight 45,000 pounds, to expire with October 1, 1965, subject to the conditions that such rate shall apply only (1) via the routing U.S. Highway 101 direct from Cloverdale to Shiloh; (2) when the carrier furnishes only the tractor; and (3) when the trailer equipment is furnished by the consignee without charge to the carrier, said trailer equipment to be provided with mechanical unloading device.

2. The authority herein granted shall, on and after October 1, 1964, supersede the authority granted by Decision No. 66031 and shall expire with October 1, 1965.

This order shall become effective on the date hereof.

Dated at Los Angeles, California, this 30<sup>th</sup> day of September, 1964.

Frederick B. Hallock  
President  
John E. Mitchell  
George E. Grover  
William M. Bennett  
Commissioners

Commissioner Everett C. McKongo, being necessarily absent, did not participate in the disposition of this proceeding.