

ORIGINAL

Decision No. 69104

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
W. J. Tannahill & Sons, a corporation,) Application No. 47478
for authority to deviate from the) (Filed April 5, 1965)
established minimum rates.)

OPINION AND ORDER

Applicant operates as a radial highway common carrier, highway contract carrier and city carrier. By Decision No. 67204 dated May 12, 1964, as amended by Decision No. 68398 dated December 23, 1964, in Application No. 46341, applicant was authorized to assess rates and charges lower than those prescribed as minimum for the transportation of lumber and other forest products, except sash and doors, for the Owens-Parks Lumber Company from the shipper's yard in Vernon to points within 30 constructive miles. The authority permits the assessing of a rate of \$3.57 per thousand board feet, subject to hourly penalty charges, in lieu of the minimum rates which are based on weight and distance. The current authority is scheduled to expire with May 31, 1965.

By this application, applicant seeks authority to continue the current authorization. Authority is also sought to adjust the rate per thousand board feet from \$3.57 to \$3.75, and to adjust the penalty charges of \$3.97 and \$4.47 per hour to \$4.05 and \$4.56 per hour, respectively.¹ In addition, authority is sought to extend its

¹No authority for the sought increase in the rates is required from this Commission inasmuch as applicant performs the service as a permitted carrier for which only minimum rates have been established. Authority for the use of the sought rates beyond May 31, 1965, is required inasmuch as the rates sought will be on a basis different from that prescribed in the minimum rate orders and in some instances below the minimum rates otherwise applicable.

operation from the shipper's yard in Vernon from 30 to 40 constructive miles.

According to applicant, the proposed mileage extension is occasioned by the unprecedented development of outlying areas and by reason of the fact that the distances from the shipper's yard to various points it intends to serve in the Los Angeles Area Metropolitan Zone Groups have been increased from 30 constructive miles or less under Distance Table No. 4 to 40 constructive miles or less under Distance Table No. 5.

Applicant alleges that the aggregate gross revenue at the thousand-board-foot rate is substantially greater than would result if the minimum rates were applied and the shipper requires that transportation charges be assessed on a board-foot basis in the interest of convenience and efficiency in billing as it sells its lumber on a board-foot basis. This method of billing, which has been in effect for over 25 years, has proven simple, economical and effective under cooperative billing arrangements with Owens-Parks. There has been no substantial change which affects the operating conditions to an extent which would warrant any change in the present method of handling the traffic. Applicant further alleges that the conditions heretofore shown, and presented to the Commission, still exist except that the need for relief is greater now than it was at the time the original authority was granted.

Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable in the future.

The application shows that a copy thereof was served upon California Trucking Association on or about April 2, 1965. No objection to its being granted has been received.

In the circumstances, it appears, and the Commission finds, that applicant's proposal is reasonable and consistent with the public interest. A public hearing is not necessary. The application

should be granted. However, as the conditions surrounding the transportation may change, this authority will be made to expire at the end of one year.

In view of the impending expiration date of the current authority, the order which follows will be made effective May 31, 1965.

IT IS ORDERED that:

1. W. J. Tannahill & Sons, a corporation, is hereby authorized to depart from the provisions of the minimum rate orders otherwise applicable to the services which it performs for Owens-Parks Lumber Company to the extent specifically provided in Appendix A attached hereto and by this reference made a part hereof and to assess rates less than the minimum rates otherwise applicable for such services but not less than the rates set forth in and subject to the conditions shown in said Appendix A.

2. The authority herein granted shall, on and after May 31, 1965, supersede the authority granted by Decision No. 67204, as amended by Decision No. 68398, and shall expire with May 31, 1966.

This order shall become effective May 31, 1965.

Dated at Los Angeles, California; this 18th day of May, 1965.

Frederick P. Holmberg President
Ed. E. Hatcher
George J. Hoover
W. J. Tannahill
 Commissioners

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

(1) Rate and charges for the transportation of Lumber and Forest Products as described in Paragraph (2) hereof for the Owens-Parks Lumber Company from the lumber company's yard at Vernon to points within 40 miles thereof, as computed in accordance with the rules in Distance Table No. 5.

\$3.75 per thousand board feet, subject to the following additional charges:

Hourly penalty charges shall be assessed in addition to the foregoing for unnecessary delays in loading, C.O.D., and all other delays, in accordance with the following basis:

\$4.05 per hour for trucks of 2 tons capacity or less.

\$4.56 per hour for trucks of over 2 tons capacity.

(2) LUMBER AND FOREST PRODUCTS, viz.:

Forest Products, whether or not creosoted or otherwise chemically treated, viz.:

Atmospheric Water Cooling Towers, knocked down, and Iron or Steel Fixtures for same, consisting of Castings, Tie Rods not exceeding 30 feet in length, and Turnbuckles, weight of such fixtures not to exceed 10% of the total weight of shipment,

Bark,
Bee Hives, knocked down,
Blocks, wooden paving, creosoted or uncreosoted,
Bolts, wooden,
Brackets, insulator (wooden),
Cants, wheel, wooden, in the rough,
Covers, guy wire,
Cross Arms, wooden, with or without riveted ends, and with or without wooden pins attached,
Heading,
Honey Box Lumber,
Lath,
Lumber,
Pencil Slats,
Pickets,
Piles,
Pins, Insulator,
Pipe Material, wooden (See Note 1),
Pipe, wooden (See Note 1),
Poles, plant, plain, creosoted or stained,
Poles, telegraph and telephone,
Posts,
Sawdust,
Shakes,

LUMBER AND FOREST PRODUCTS (Concluded)

Shavings,
Shingles,
Ship Knees,
Shook, box and crate,
Silo Material, wooden, and Fixtures (See Note 2),
Stakes, plain, creosoted or stained,
Staves,
Steps, pole (wooden),
Stock, battery separator, machined, viz., i-grooved,
furrowed or corrugated, not treated with caustic
soda, asphaltum or other solution,
Tank Material, wooden, and Fixtures (See Note 3),
Ties, railroad,
Timbers, rough,
Timbers, mining,
Wedges, mine.

ALSO

BUILDING WOODWORK (HOUSE TRIM), not further finished
than primed, viz.:

Astragals,
Balusters,
Balustrade Work,
Base Boards,
Beads, angle corner, cornice,
Blinds (shutter) slatted or solid,
Blocks (base, center, corner, head),
Built-in Fixtures (See Note 4), viz.:
Book Cases,
Breakfast Nook Sets, consisting of Seat Boards
and Ends, Table Tops and Legs,
Buffets,
Cases or Chests of Drawers,
China Closets,
Cooler Closets,
Cupboards,
Ironing Boards,
Kitchen Cabinets,
Mantel Shelves,
Medicine Cabinets,
Sideboards,
Sinkboards,
Sink Sets,
Telephone Cabinets,
Window Seats,
Caps, column,
Casing, door and window, panel,
Closet and Pantry Fittings,
Columns,
Cornice Brackets,
Frames (Blind, screen and door),
Frames, window, with or without pulleys,
Gable Ornaments,
Grille Work,
Gutters,
Hand Rails,
Jambs, door,

BUILDING WOODWORK (HOUSE TRIM), not further finished
than primed, viz.: (Concluded)

Molding, casing,
Molding, carpenter's,
Paneling,
Pilasters,
Plywood,
Porch Work,
Rosettes,
Screens, door and window,
Scroll Work,
Shelves, knocked down,
Spindles,
Stair Work, (newels, risers, treads, trellises,
railing, balusters, post ornaments),
Veneering,
Wainscoting,
Window Stools and Aprons,

Note 1. - The rates on Pipe Material and Wooden Pipe will include iron bands and wooden or iron connections therefor, consisting of ells, tees, crosses, reducers, bends and weyes, the weight of the iron bands and wooden or iron connections not to exceed 10 per cent of the weight of the entire shipment.

Note 2. - The rates on Silo Material and Fixtures will include doors and fixtures for same, also including iron or steel bands, hoops, lugs and bolts for same. The weight of fixtures, gauge and iron or steel bands, or hoops and lugs not to exceed 20 per cent of the weight of the entire shipment.

Note 3. - The rates on Tank Material and Fixtures will include gauge, iron or steel bands, or hoops and lugs, the weight of fixtures, gauge and iron or steel bands, or hoops and lugs, not to exceed 20 per cent of the weight of the entire shipment.

Note 4. - Rates apply only on Built-in-Fixtures as described to be built in and become a permanent part of Building Woodwork (House Trim).

(End of Appendix A)