

ORIGINAL

Decision No. 69597

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. 387)
(Filed July 14, 1965)

OPINION AND ORDER

By Decision No. 67704 dated August 11, 1964,¹ 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.² The authorized rate is scheduled to expire with September 14, 1965. By this petition, authority is sought to continue to maintain a rate less than the minimum rate for a further one-year period but to increase the currently authorized rate to 21 cents per 100 pounds, and to increase the minimum weight to 44,000 pounds.

Petitioner alleges that pursuant to the authority contained in Decision No. 67704, supra, it has continuously maintained the currently authorized rate of 20 cents per 100 pounds, minimum weight 43,000 pounds, and has continuously engaged in the transportation of shipments of lumber from Elk Creek to Sacramento under that rate.

¹Case No. 5432, Petition for Modification No. 346.

²The truckload minimum rate specifically set forth and currently in effect in Minimum Rate Tariff No. 2 for the transportation involved herein is 29½ cents per 100 pounds, minimum weight 44,000 pounds.

A cost study submitted with the petition indicates that petitioner has experienced certain increases in labor and related costs which make it necessary to increase the current rate to 21 cents and the applicable minimum weight to 44,000 pounds. According to petitioner, the proposed rate and minimum weight will produce revenues sufficient to defray the operating costs involved and provide a reasonable profit.

Revenue and expense data submitted by applicant indicate the transportation involved has been profitable and reasonably may be expected to be profitable based on the proposed rate and minimum weight for the ensuing year.

Petitioner's transmittal letter indicates that a copy of the petition was served on California Trucking Association on or about July 13, 1965. The petition was listed on the Commission's Daily Calendar of July 15, 1965. No objection to the granting of the petition has been received.

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

In view of the impending expiration date of the current authority, the order which follows will be made effective September 4, 1965.

IT IS ORDERED that:

1. Devine & Son Trucking Co., a corporation, is hereby authorized to publish and file, to expire with September 14, 1966, a rate of 21 cents per 100 pounds, minimum weight 44,000 pounds, for the transportation of lumber from Elk Creek (Glenn County) to Sacramento.

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.

The effective date of this order shall be September 4, 1965.

Dated at San Francisco, California, this 24th day of August, 1965.

Fredrick B. Hallock
President
John C. Smith
George E. Brown
Augusta
William L. Bennett
Commissioners