

ORIGINAL

Decision No. 70365

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Earl F. Anders)	
and Clifton Shifflet dba)	Shortened Procedure Tariff Docket
Shifflet Bros. under Shortened)	Application No. 48104
Procedure Tariff Docket to)	(Filed December 7, 1965)
increase rate for the)	(Amended January 27, 1966)
transportation of cement.)	

OPINION AND ORDER

Earl F. Anders and Clifton Shifflet, doing business as Shifflet Bros., have been authorized to acquire from Emery P. Biehle (Biehle) a certificate of public convenience and necessity to operate as a cement carrier for the transportation of cement from all points of origin in California to and within Sutter County.¹

In order to consummate the transfer of the operative right in question, applicants are required to amend or reissue the tariffs on file with the Commission naming rates and rules governing the cement carrier operations of Biehle to show that they have adopted as their own said rates and rules. Applicants seek authority to establish rates for the above transportation, which are higher, in some instances, than those currently maintained by Biehle. Applicants request that the Commission's order herein be made effective immediately and that tariff publications be authorized on 5 days' notice to the Commission and to the public in order that the consummation of the transfer may be accomplished as soon as possible.

Applicants state that they are authorized to transport cement from all points of origin in California to and within Butte County.² Their rates for such transportation and Biehle's

¹ Decision No. 68807 dated March 30, 1965, as amended by Orders Extending Time dated September 14 and November 30, 1965, and February 1, 1966, in Application No. 47322.

² Resolution No. 13825, Sub. No. 14, dated June 23, 1964.

rates for his cement carrier operations to and within Sutter County are set forth in different tariffs. ³ Applicants desire to operate in both Butte and Sutter Counties under Tariff No. 17 rather than maintain separate tariffs for each county and they aver that the use of a single tariff would facilitate the rating of shipments and avoid errors.

Applicants' proposal would, if granted, result in increases in those instances where the rates for accessorial services are involved. Applicants assert that the increases resulting from the publication of the proposed rates would not increase their California intrastate gross revenue by as much as one percent.

Copies of the application were mailed to California Trucking Association, Sutter County Chamber of Commerce and various cement shippers on or about December 6, 1965. The application and amendment were listed on the Commission's Daily Calendar of December 8, 1965, and January 28, 1966, respectively. No objection to the granting of the application, as amended, has been received.

In the circumstances, it appears, and the Commission finds, that the publication of rates as proposed in this application, as amended, is justified. A public hearing is not necessary. The Commission concludes that the application, as amended, should be granted.

IT IS ORDERED that:

1. Earl F. Anders and Clifton Shifflet, doing business as Shifflet Bros., are hereby authorized to participate in Western Motor Tariff Bureau, Inc., Agent, Local Freight Tariff No. 17, Cal.P.U.C.21,

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Applicants are currently shown as a participating carrier in Western Motor Tariff Bureau, Inc., Agent, Local Freight Tariff No. 17, Cal.P.U.C. No. 21, hereinafter referred to as Tariff No. 17. Biehle is shown as a participating carrier in Pacific Coast Tariff Bureau Local Freight Tariff No. 9, Cal.P.U.C. No. 30, of C. R. Nickerson, Agent.

to the extent necessary to establish rates for the transportation of cement as proposed in this application.

2. Tariff publications authorized to be made as a result of the order herein may 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 on the date hereof.

Dated at San Francisco, California, this 15th day of February, 1966.

Frederick B. Hallock
President
George T. Traver
Augustin
William W. Bennett
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.