

ORIGINAL

Decision No. 70647

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 ADOLPH Q. TOLEDO and CHARLES B.
 TOLEDO, doing business as TOLEDO
 TRUCKING, under Section 3666 of the
 Public Utilities Code of the State
 of California, for authority to
 charge rates less than those pre-
 scribed in Minimum Rate Tariff No. 2
 for the transportation of hides from
 Stockton, California, to Modesto,
 California, and empty containers
 returning, for the account of UNION
 HIDE - VALLEY CO., and to establish
 and charge for the transportation
 of heretofore unrated poultry
 processing plant offal rates pre-
 scribed in Minimum Rate Tariff
 No. 14-A for the transportation of
 certain grain, grain products, and
 animal feed for the account of
 MODESTO TALLOW CO.

Application No. 47998
 (Filed October 25, 1965)

William H. Kessler, for applicant.
C. D. Gilbert, H. F. Kollmyer and A. D. Poe,
for California Trucking Association,
interested party.
R. J. Carberry and J. C. Matson, for the
Commission staff.

O P I N I O N

By the above-entitled application Adolph Q. Toledo and Charles B. Toledo, doing business as Toledo Trucking, a radial highway common carrier and city carrier, seek authority under the provisions of Section 3666 of the Public Utilities Code to charge a rate less than the published minimum rates for the transportation of hides. Applicants also seek to establish and charge a rate of 10.75 cents per one hundred pounds, for the transportation of waste material from the processing of poultry in processing plants,

alleging that there is no established rate. Applicants also seek authority to transport an entire week's traffic of hides and poultry waste under one single multiple-lot document to be executed at the conclusion of the week's transportation. Applicants further seek authority to have included in the presently applicable minimum rate for the transportation of hides the free transportation of empty water-tight bins.

Public hearing on the application was held before Examiner Porter at Modesto on January 11, 1966, on which date the matter was submitted.

Applicants and Modesto Tallow Co., for whom applicants transport poultry waste material, sought to establish a new commodity rate of 10.75 cents per one hundred pounds for the transportation of said material for the account of Modesto Tallow Co. from Oakdale, California, and from Turlock, California, to Modesto and within the City of Modesto. The evidence was that this rate was the highest the shipper would pay or they would return to proprietary hauling. This waste material is processed and made into chicken feed or fertilizer.

The waste material described at the hearing as material consisting of raw feathers, heads, feet and entrails mixed with blood and water is ratable as Tankage No. I, subject to rates in Minimum Rate Tariff No. 2.

Applicants have failed to show that operation under the proposed rates and documentation is profitable. Shipper will pay

no more. In the circumstances, the Commission finds that the relief sought in the application has not been justified. The Commission concludes that the application should be denied.

O R D E R

IT IS ORDERED that Application No. 47998 is hereby denied.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 3rd day of MAY, 1966.

Fredrick R. Haluff
President
George W. Howe
William G. Bennett
Commissioners