

ORIGINAL

Decision No. 70655

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
WALTER SPHAR, doing business as)
WALTER SPHAR TRUCKING, PO. Box 83)
Likely, California, to extend)
Application No. 42822, Decision)
No. 61935, for the transportation)
of peat moss.)

Application No. 48348
(Filed March 28, 1966)

OPINION AND ORDER

Walter Sphar operates as a radial highway common carrier. By Decision No. 69053 dated May 11, 1965, in Application No. 47424, he was authorized to assess rates less than the minimum rates but not less than 85 percent of the Class D rates named in Minimum Rate Tariff No. 2, subject to a minimum weight of 44,000 pounds, for the transportation of peat moss from the plant of American Modoc, Inc., at Likely (Modoc County). The current authority is scheduled to expire with May 21, 1966.

By this application, an extension of the current authority is sought for a further one-year period. Applicant proposes that the authority be modified to indicate that the transportation is performed for John Harris Peat Moss Co. (formerly American Modoc, Inc.).

Applicant states that he has been in the trucking business for the past seven years and lives within two blocks of the John Harris Peat Moss Co., plant at Likely where his truck is loaded by the shipper's own employees. He has been hauling peat moss since May, 1961, under prior authorities granted by the Commission, at rates

computed on the same classification rating sought herein plus any surcharges and split delivery charges which may be applicable. Applicant transports the peat moss to points as far north as Redding and as far south as Bakersfield and has found the current rates to be satisfactory. Applicant further states that he usually averages four loads per week with a minimum weight of 44,000 pounds per load.

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.

Copy of the application was mailed to California Trucking Association on March 25, 1966. The application was listed on the Commission's Daily Calendar of March 29, 1966. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable. A public hearing is not necessary. The Commission concludes that the application should be granted. In view of the impending expiration date of the current authority, the order which follows will be made effective May 21, 1966.

IT IS ORDERED that:

1. Walter Sphar is hereby authorized to assess rates less than the minimum rates but not less than 85 percent of the Class D rates named in Minimum Rate Tariff No. 2 (subject to all other applicable rules and charges in said tariff), subject to a minimum weight of 44,000 pounds, for the transportation of peat moss from the plant of John Harris Peat Moss Co. at Likely (Modoc County) when all loading of the vehicle is done by the shipper.

2. The authority herein granted shall, on and after May 21, 1966, supersede the authority granted by Decision No. 69053 and shall expire with May 21, 1967.

This order shall become effective May 21, 1966.

Dated at San Francisco, California, this 31 day of May, 1966.

Fredrick B. Hallock

President
George H. Crow

Commissioner
William L. Birnie

Commissioner