

Decision No. 71148

ORIGINAL

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. 429)
(Filed July 18, 1966)

OPINION AND ORDER

By Decision No. 69597 dated August 24, 1965,¹ Devine & Son Trucking Co., a corporation, was authorized as a highway common carrier to publish 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. This rate is lower than the established minimum rate for this transportation.² The authorized rate is scheduled to expire with September 14, 1966. By this petition, authority is sought to continue to maintain in petitioner's tariff the currently authorized rate for a further one-year period.

Petitioner alleges that pursuant to the authority contained in Decision No. 69597, supra, it has continuously maintained the currently authorized rate of 21 cents per 100 pounds, minimum weight 44,000 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. 387.

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.

Petitioner asserts that there has been a slight increase in labor costs due to taxes and a cost of living adjustment but that the load factor has improved resulting in a projected favorable result. 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 for the ensuing year.

Petitioner's transmittal letter indicates that a copy of the petition was mailed to California Trucking Association on or about July 15, 1966. The petition was listed on the Commission's Daily Calendar of July 19, 1966. No objection to the granting of the petition has been received.

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

IT IS ORDERED that:

1. Devine & Son Trucking Co., a corporation, is hereby authorized to publish and file, to expire with September 14, 1967, a rate of 21 cents per 100 pounds, minimum weight 44,000 pounds per shipment, for the transportation of lumber from Elk Creek (Glenn County) to Sacramento.

2. Tariff filings shall 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 twenty days after the date hereof.

Dated at San Francisco, California, this 16th day of August, 1966.

Paul L. ... President

George T. ...
Augustin ...

William G. ... Commissioners

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.