

**ORIGINAL**

Decision No. 72185

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

|                                     |   |                          |
|-------------------------------------|---|--------------------------|
| In the Matter of the Application    | ) |                          |
| of WALTER F. PETERS, an individual, | ) |                          |
| doing business as PETERS TRUCK      | ) | Application No. 49119    |
| LINES, for authority to depart from | ) | (Filed January 31, 1967) |
| minimum rates, rules and regula-    | ) |                          |
| tions applicable in connection      | ) |                          |
| with certain transportation.        | ) |                          |

OPINION AND ORDER

Applicant holds a radial highway common carrier permit. By Decision No. 70426 dated March 8, 1966, in Application No. 47969, he was authorized to assess less-than-minimum rates for the transportation of potatoes in sacks, boxes or bins for specified shippers from Macdoel and points within 15 airline miles thereof to Sacramento, Santa Rosa, Monterey, Stockton, Modesto and points within the San Francisco Bay area. The current authority is scheduled to expire with April 1, 1967. By this application, an extension of the current authority is sought for a further one-year period.

The rates in issue were found to be reasonable and justified by transportation conditions upon the basis of evidence received at a public hearing on January 28, 1966. The evidence showed that the interstate movement of potatoes to points in California from competitive growing areas near Macdoel, but located in Oregon, is not subject to rate regulation and the rates for such transportation are negotiated between shippers and carriers. The shippers involved indicated that they would discontinue purchasing potatoes in the Macdoel area for shipment to California points unless intrastate rates competitive with those applicable to the aforementioned interstate movements were made available to them from Macdoel.

Applicant states that the conditions which justified the granting of the current authority continue to exist. Based on his experience during the past year in performing the service described herein, applicant avers that he can continue to provide such service at the presently authorized rates at a satisfactory profit.

Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable for the ensuing year.

The certificate of service shows that a copy of the application was served upon California Trucking Association on January 30, 1967. The application was listed on the Commission's Daily Calendar of February 1, 1967. 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 April 1, 1967.

IT IS ORDERED that:

1. Walter F. Peters is authorized to transport potatoes, in sacks, boxes or bins, from Macdoel and points within a radius of 15 airline miles of Macdoel for the companies named and to the points named in Appendix A, attached hereto and by this reference made a part hereof, at rates less than the established minimum rates


A. 49119 - ams

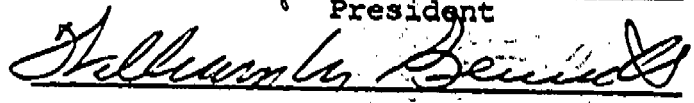
but not less than those set forth, and subject to the conditions specified, in said Appendix A.

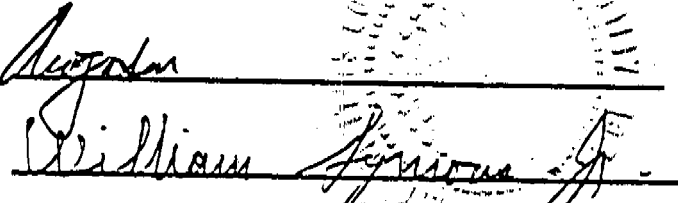
2. The authority herein granted shall, on and after April 1, 1967, supersede the authority granted by Decision No. 70426 and shall expire with April 1, 1968.


The effective date of this order shall be April 1, 1967.

Dated at San Francisco, California, this 21<sup>st</sup> day of March, 1967.

  
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President

  
\_\_\_\_\_  
Agent

  
\_\_\_\_\_  
William Synow

  
\_\_\_\_\_  
Commissioners

APPLICATION OF RATES

CARRIER: Walter F. Peters, dba  
PETERS TRUCK LINES

SHIPPERS FOR WHOSE ACCOUNT SERVICE IS TO BE PROVIDED:

|                          |                                   |
|--------------------------|-----------------------------------|
| Butte Valley Farms, Inc. | Bob Cheyne                        |
| Macdoel Potato Co.       | Wesley McKegg                     |
| Geo. Yost                | Safeway Stores, Inc.              |
| Carl Colson Farms        | Klamath Potato Distributors, Inc. |
| Nick Dellis Co., Inc.    | Sunnystate Produce                |
| L and K Produce          | A. Levy and J. Zentner, Inc.      |

1. COMMODITY:

Potatoes, fresh, in sacks, boxes or bins.

2. RATES:

| <u>FROM:</u>   | <u>Rates in Cents<br/>Per 100 Pounds</u> |   |
|--|--|---|
|  | <u>Minimum Weight<br/>42,000 Pounds</u>  | <u>Minimum Weight<br/>45,000 Pounds</u> |
|  | (Per Shipment)                           |   |
| Macdoel and points<br>and places within a<br>radius of 15 airline<br>miles of Macdoel. |  |   |
| <u>TO:</u>   |  |   |
| Sacramento .....   | 45                                       | --                                      |
| Fairfield, Suisun, )<br>Travis Air Base ) .....  | 48                                       | --                                      |
| Richmond, Berkeley, )<br>Emeryville, Oakland, )<br>San Leandro, San ) .....            | --                                       | 50                                      |
| Lorenzo, Hayward )   |  |   |
| San Francisco, )<br>South San Francisco) .....   | 52                                       | --                                      |
| Santa Rosa .....   | --                                       | 50                                      |
| Monterey, Fort Ord .....   | --                                       | 66                                      |
| Stockton .....   | --                                       | 48                                      |
| Modesto .....  | --                                       | 51                                      |

3. In all other respects, the provisions of Minimum Rate Tariff No. 8 are applicable.