

ORIGINAL

Decision No. 72639

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. 461)
(Filed June 12, 1967)

IN THE MATTER OF THE APPLICATION)

OF)

MITCHELL BROS. TRUCK LINES FOR)
AUTHORITY TO PUBLISH A RATE LESS)
THAN THE MINIMUM RATES SET FORTH)
IN MINIMUM RATE TARIFF NO. 2)

Application No. 49457
(Filed June 12, 1967)

OPINION AND ORDER

By Decision No. 70754 dated May 24, 1966, in Case No. 5432
(Petition for Modification No. 399), Mitchell Bros. Truck Lines, a
corporation (hereinafter called petitioner), was authorized (1) to
publish a less-than-minimum rate of 15 cents per 100 pounds, minimum
weight 50,000 pounds, for the transportation of lumber, timbers and
railroad ties from Crescent City to Arcata as a highway common car-
rier and (2) to transport boards or sheets (particleboard), plywood
and veneering, as a highway contract carrier, for Hambro Forest
Products, Inc., and Simpson Wholesale Company from Crescent City to
Arcata at a less-than-minimum rate of 15 cents per 100 pounds, mini-
mum weight 50,000 pounds. The published rate and authority expired
June 13, 1967.

By this petition and application, authority is sought to publish and file the above common carrier rate for an additional one-year period on less-than-statutory notice and to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code in connection with such publication. Petitioner also requests authority to assess the same less-than-minimum rate for the aforementioned highway contract carrier operations for another one-year period.

Petitioner states that it is engaged predominantly in the transportation of lumber and forest products and that it has experienced a serious decline in revenue in its over-all operations on shipments of such commodities during the past few years. Petitioner alleges that, in the past year, there has been a substantial increase in revenue in connection with the transportation herein involved due to the fact that less-than-minimum rates were authorized for such transportation pursuant to Decision No. 70754, supra.

Petitioner declares that the new Klamath River Bridge has been opened to traffic moving between points herein involved and, as a result thereof, the mileage from Crescent City to Arcata has been reduced from 76 to approximately 72 actual miles. Petitioner contends that the new stretch of road is free of curves and that the driving time between the points involved has been reduced by approximately 20 minutes enabling it to make a round trip between Crescent City and Arcata in 4 hours and 15 minutes.

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

Petitioner avers that Hambro Forest Products, Inc., and Simpson Wholesale Company have informed them that the minimum rates for the transportation in question are unrealistic and, unless the proposed rates are granted, Hambro will have no alternative but to lease or purchase its own trucks and Simpson will use mill or customer trucks. Petitioner asserts that it maintains a terminal in Crescent City and that the aforementioned traffic is of vital importance to its continued operations in that area.

The certificate of service shows that a copy of the joint petition and application was mailed to California Trucking Association on June 10, 1967. The petition and application were listed on the Commission's Daily Calendar of June 14, 1967. No objection to the granting of the petition and application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable and justified by transportation conditions. A public hearing is not necessary. The petition and application should be granted to the extent indicated in the ensuing order.

Inasmuch as the authority granted by Decision No. 70754 has expired, the order which follows will be made effective on the date hereof.

IT IS ORDERED that:

1. Mitchell Bros. Truck Lines, a corporation, is hereby authorized, as a highway common carrier, to publish and file, to expire with June 27, 1968, a rate of 15 cents per 100 pounds, minimum weight 50,000 pounds, for the transportation of lumber, timbers and railroad ties from Crescent City to Arcata.

2. Tariff publications authorized to be made as a result of the order herein may be made effective not earlier than two days after the effective date of this order on not less than two days' notice to the Commission and to the public.

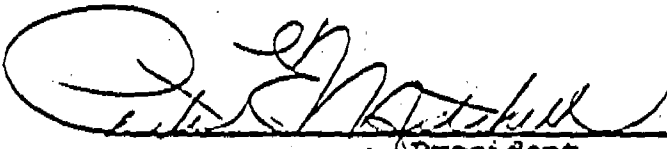
3. Mitchell Bros. Truck Lines, a corporation, is hereby authorized to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code to the extent necessary to exercise the authority granted herein. Schedules containing the rate published under this authority shall make reference to this order.

4. Mitchell Bros. Truck Lines, a corporation, is hereby authorized, as a highway contract carrier, to transport boards or sheets (particleboard), plywood and veneering for Hambro Forest Products, Inc., and Simpson Wholesale Company from Crescent City to Arcata at a rate less than the applicable minimum rate but not less than 15 cents per 100 pounds, minimum weight 50,000 pounds.


5. The authority granted in ordering paragraph 4 above shall expire one year after the effective date of this order.

The effective date of this order shall be the date hereof.

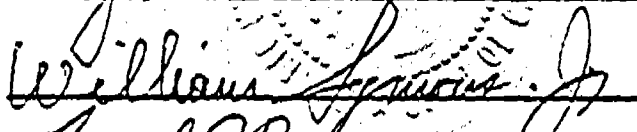
Dated at San Francisco, California, this 20th day of June, 1967.



President



August 1967



Fred P. ...

Commissioners