

**ORIGINAL**

Decision No. 72878

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)	
OTTO TURK, a contract carrier, for )	
authority to charge less than )	Application No. 49550
minimum rates on shipments of )	(Filed July 18, 1967)
groceries and related items, under )	
Section 3666, Sacramento to )	
Oroville. )	

OPINION AND ORDER

Otto Turk holds a highway contract carrier permit. By Decision No. 70936, dated July 1, 1966, in Application No. 48554, he was authorized to transport groceries and related articles for Carrier Brothers Market from Sacramento to Oroville at a rate less than the established minimum rates but not less than 22 cents per 100 pounds, minimum weight 36,000 pounds. The current authority expired with July 19, 1967. By this application, authority is sought to assess the same rate for the transportation service hereinbefore described for a one-year period.

Applicant states that the shipper has informed him that, if the authority sought herein is not granted, it will purchase its own trucking equipment to perform the transportation service. It is alleged that the volume of the traffic herein involved has increased. Applicant avers that his margin of profit has been satisfactory.

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.

The certificate of service shows that a copy of the application was mailed to California Trucking Association on or about July 10, 1967. The application was listed on the Commission's Daily Calendar of July 19, 1967. No objection to the granting of the application has been received.

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

In view of the fact that the current authority expired with July 19, 1967, the order which follows will be made effective on the date hereof.

IT IS ORDERED that:

1. Otto Turk is hereby authorized to transport for Carrier Brothers Market groceries and related articles regularly sold or offered for sale by Valley Wholesale Co. from the latter's wholesale grocery establishment at Sacramento to Carrier Brothers Market at Oroville at a rate less than the minimum rates established for such transportation but not less than 22 cents per 100 pounds, subject to a minimum weight of 36,000 pounds per shipment.
2. The authority granted herein shall expire one year after the effective date of this order unless sooner canceled, changed or extended by order of the Commission.

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

Dated at San Francisco, California, this 8<sup>th</sup> day of August, 1967.

William W. Bernard President  
August  
William Johnson Jr.  
Jack P. Morrison Commissioners