

**ORIGINAL**

Decision No. 72919

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 relat- )  
ing to the transportation of any )  
and all commodities between and )  
within all points and places in )  
the State of California (includ- )  
ing, but not limited to, trans- )  
portation for which rates are )  
provided in Minimum Rate )  
Tariff No. 2). )

Case No. 5432  
(Petition for Modification No.  
466)  
(Filed July 17, 1967)

OPINION AND ORDER

By Decision No. 71148 dated August 16, 1966,<sup>1</sup> 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 estab-<sup>2</sup>lished minimum rate for this transportation. The authorized rate is scheduled to expire with September 14, 1967. By this petition, authority is sought to continue to maintain in petitioner's tariff, the currently authorized rate.

According to petitioner, the proposed rate and minimum weight will produce revenues sufficient to defray the operating costs involved and provide a reasonable profit.

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Case No. 5432, Petition for Modification No. 429.

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The truckload minimum rate specifically set forth and currently in effect in Minimum Rate Tariff No. 2 for the transportation involved herein is 30½ cents per 100 pounds, minimum weight 44,000 pounds.

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 14, 1967. The petition was listed on the Commission's Daily Calendar of July 18, 1967. 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. However, as the conditions surrounding the transportation may change, the authority will be made to expire at the end of one additional year, unless sooner canceled, changed or extended by order of the Commission.

IT IS ORDERED that:

1. Devine & Son Trucking Co., a corporation, is hereby authorized to publish and file, to expire with September 14, 1968, 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 15<sup>th</sup> day of August, 1967.

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President  
*William W. Bennett*  
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*Augusta*  
\_\_\_\_\_  
*William Synow*  
\_\_\_\_\_  
*Fred P. Monsey*  
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.