

ORIGINAL

Decision No. 72994

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)	Case No. 5432
of any and all commodities between and)	(Petition for Modification
within all points and places in the)	No. 469)
State of California (including, but not)	(Filed August 2, 1967)
limited to, transportation for which)	
rates are provided in Minimum Rate)	
Tariff No. 2).	

OPINION AND ORDER

By Decision No. 71301 dated September 20, 1966, Winans Bros. Trucking Co., a corporation, operating as a highway common carrier, was authorized to publish and file a rate of 16½ cents per 100 pounds, minimum weight 50,000 pounds, for the transportation of lumber and green veneer from Hayfork (Trinity County) to Redding and all points and places within five air line miles of the intersection of Market and Yuba Streets in Redding; and from Hayfork to the carrier's terminal located on U.S. Highway 99 eight miles south of the aforesaid intersection. This published rate is lower than the present minimum rate and is scheduled to expire with September 26, 1967.

By this petition, authority is sought to continue to publish, for an additional one-year period, a less-than-minimum rate for such transportation and to increase the currently authorized rate to 17 cents per 100 pounds, minimum weight 50,000 pounds per shipment, for the transportation of lumber and green veneer from Hayfork to the above described points.

Petitioner alleges that, during the past year, the 16½ cent rate proved to be compensatory. It further alleges that, due to increased costs of operation, mainly labor, an increase of one-half cent per 100 pounds is necessary. Petitioner avers that the volume and frequency of these shipments have both continued to be substantial and are expected to increase as the economy of the State expands and construction activities increase generally. Petitioner states that, unless the sought rate relief is granted, the volume of traffic it now transports under this authority will be lost to proprietary trucking.

The certificate of service shows that copies of the petition were mailed to California Trucking Association and other interested parties on August 1, 1967. The petition was listed on the Commission's Daily Calendar of August 3, 1967. No objection to the granting of the petition has been received.

Petitioner has been performing this transportation under less-than-minimum rate authority granted by this Commission since 1954. Petitioner does not enjoy a competitive advantage over other carriers by reason of this rate authority, inasmuch as the authorized rate is published in petitioner's common carrier tariff and is thus available to other carriers under the alternative provisions of the Commission's governing minimum rate tariff.

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. Winans Bros. Trucking Co., a corporation, is hereby authorized to publish and file, to expire with September 26, 1968, a rate of 17 cents per 100 pounds, minimum weight 50,000 pounds per shipment, for the transportation of lumber and green veneer from Hayfork (Trinity County) to Redding and all points and places within five air line miles of the intersection of Market and Yuba Streets in Redding; and from Hayfork to the carrier's terminal located on U.S. Highway 99 eight miles south of the aforesaid intersection.

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.

3. Winans Bros. Trucking Co. is hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to maintain the established minimum rates at points intermediate between Hayfork, on the one hand, and Redding, points and places within five air line miles of the intersection of Market and Yuba Streets in Redding, and the carrier's terminal located on U.S. Highway 99 eight miles south of the

aforesaid intersection, on the other hand. Schedules containing the rate published under this authority shall make reference to this order.

The effective date of this order shall be September 21, 1967.

Dated at San Francisco, California, this 29th day of August, 1967.

Carl E. Mitchell
President
William L. Brown &
Augusta
William J. Quinn
Paul P. Morrisey
Commissioners