

ORIGINAL

Decision No. 73163

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)
)
 C. R. Nickerson, Agent and Attorney,)
 for and on behalf of STOCKTON TERMINAL)
 AND EASTERN RAILROAD, under outstanding)
 Power of Attorney on file with the)
 Commission, under the Shortened Procedure)
 Tariff Docket, to make increases in)
 rates on Nuts, edible, in shell, in bulk,)
 or in packages, between Linden,)
 California, on the one hand, and on the)
 other, Stockton, California, in Items)
 380-A and 385-A, Supplement No. 10 to)
 Stockton Terminal and Eastern Railroad)
 Local Freight Tariff No. 1-K, ICC No. 43,)
 as more fully set forth in Exhibit "A")
 attached hereto and by reference thereto)
 made a part of this application.)

Shortened Procedure
 Tariff Docket
 Application No. 49521
 (Filed July 6, 1967)

-AND-

For authority to depart from the terms)
 of Section 454 of the Public Utilities)
 Code when accomplishing proposed pub-)
 lication.)

OPINION AND ORDER

By this application, C. R. Nickerson, for and on behalf
 of Stockton Terminal and Eastern Railroad (ST&E), seeks authority
 to increase rates from 12 cents to 14 cents per 100 pounds, minimum
 weight 30,000 pounds, in connection with the transportation of
 edible nuts, in shell, in bulk or in packages between Linden and
 Stockton.

¹
 The rates involved are published in Items 380-A and 385-A of
 Supplement No. 10 to ST&E Local Freight Tariff No. 1-K (Tariff
 No. 1-K).

Applicant states that, on August 25, 1966, the current rates were made effective for transportation by motor vehicle service in substitution for rail service.² Applicant alleges that the sought increase in rates is necessary to offset a general increase in teamsters' wages, which applies for motor vehicle service used in substitution for rail service. Applicant alleges that, although the proposed increase of two cents per 100 pounds does not fully cover the actual amount of increased wage costs, the sought rates will be compensatory for the transportation involved.

Applicant asserts that the proposed increase in rates will not increase ST&E's California intrastate gross revenue by as much as one percent.

The certificate of service shows that copies of the application were mailed to all interested parties, including California Trucking Association, on July 5, 1967. The application was listed on the Commission's Daily Calendar of July 7, 1967. Diamond Walnut Growers, Inc., the only shipper involved, has informed the Commission by letter that it supports applicant's proposal.

In the circumstances, it appears, and the Commission finds, that increases resulting from publication of the rates as proposed in the application are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

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See Item 125 of Tariff No. 1-K.

IT IS ORDERED that:

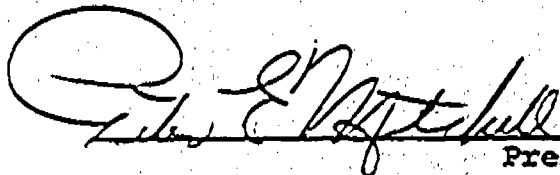
1. C. R. Nickerson, Agent, is hereby authorized, for and on behalf of Stockton Terminal and Eastern Railroad, to publish rates for the transportation of edible nuts as specifically proposed in the application.

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

3. The authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

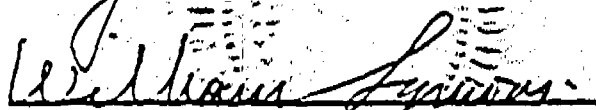
This order shall become effective twenty days after the date hereof.

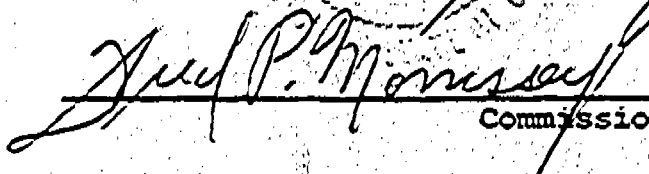
Dated at Los Angeles, California, this 31 day of October, 1967.



President







Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.