

**ORIGINAL**

Decision No. 73654

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 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. 488  
 (Filed December 18, 1967)

O P I N I O N

By this petition Devine & Son Trucking Co., a corporation, operating as a highway common carrier of lumber, requests authority to publish a rate of 6-3/4 cents per 100 pounds, subject to a minimum weight of 44,000 pounds per unit of carrier's equipment for the transportation of lumber from Paskenta to Corning, both in Tehama County. The applicable minimum rate, named in the Commission's Minimum Rate Tariff No. 2, is 12-1/2 cents per 100 pounds, minimum weight 44,000 pounds.

By Decision No. 71989, dated February 7, 1967, in Application No. 48918, petitioner herein was authorized to publish a rate of 6-1/2 cents per 100 pounds, minimum weight 44,000 pounds per unit of carrier's equipment, for the transportation of lumber (milled, surfaced or finished) from and to the above mentioned points. That authorization is subject to expire on February 5, 1968.

Petitioner is now transporting shipments of lumber under the rate of 6-1/2 cents for Crane Mills and is desirous of continuing this service at the proposed rate of 6-3/4 cents. According to the

petition, said shipper also operates motor trucks and has indicated that it will be required further to expand its private carriage operation if the relief herein sought is not granted.

According to an exhibit attached to the petition the operation here in issue is conducted, at current expense levels, at a cost of 5.96 cents per 100 pounds, before provision for income taxes. This would reflect an operating ratio of 88.3 percent under the sought rate.

The petition was shown on the Commission's daily calendar for December 19, 1967. No protests have been received.

It appears, and the Commission finds, that the proposed rate is reasonable and justified by transportation conditions. A public hearing is not necessary. We conclude that the sought authority should be granted. Because the conditions under which the service is performed may change at any time, the authority will be made to expire at the end of one year, unless extended, modified or cancelled by order of the Commission.

O R D E R

IT IS ORDERED that:

1. Devine & Son Trucking Co., a corporation, operating as a highway common carrier, is hereby authorized to publish and file, to expire with February 5, 1969, a rate of 6-3/4 cents per 100 pounds, minimum weight 44,000 pounds per unit of carrier's equipment used, for the transportation of lumber (milled, surfaced or finished) from Paskenta to Corning.

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 the public.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 23<sup>rd</sup>  
day of JANUARY, 1968.

*[Signature]*  
President  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
Commissioners