

ORIGINAL

Decision No. 73904

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MONSON TRUCK COMPANY, a California)
corporation, for suspension of a)
portion of Certificated Rights as)
a highway common carrier as to)
certain commodities between certain)
points.)

Application No. 50001
(Filed February 1, 1968)

OPINION AND ORDER

Monson Truck Company, a California corporation, is presently operating as a highway common carrier and as a highway permit carrier pursuant to authority issued it by the Commission.

By Decision No. 72140, dated March 14, 1967, in Application No. 49094, the Commission, pursuant to Section 1070 of the Public Utilities Code, authorized Monson Truck Company to suspend its service as a highway common carrier for the transportation of iron and steel products between Kaiser, California, and all points and places in the San Diego Territory being defined as that area embraced by an imaginary line starting at the northerly junction of U. S. Highways 101-E and 101-W (four miles north of La Jolla), thence easterly to Miramar on U. S. Highway 395, thence southeasterly to Lakeside on the El Cajon - Ramona Highway (State Highway 67), thence southerly to Bostonia on U. S. Highway 80, thence southeasterly to Jamul on State Highway 94, thence due south to the International Boundary Line, west to the Pacific Ocean and north along the coast to point of beginning. By said decision the suspension continues in effect to and including April 1, 1968.

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Applicant alleges that the basis for the prior request for temporary suspension was that applicant and its customer, Kaiser Steel Corporation, had been placed in an extremely disadvantageous competitive position as to rates because of the mode of operation required by the customer in the movement of said commodities; that it has served this customer for in excess of twenty years to points within and without the San Diego Territory hereinabove described; that the same conditions which existed at the time of the issuance of the original Order of Suspension (Decision No. 72140, dated March 14, 1967), continue to exist; that said conditions justify the continuation of the relief heretofore granted, and that applicant will then be able to handle this customer's traffic as to the said commodities as a contract carrier as it has so performed such operations in the past.

Applicant alleges that it has made, and will continue to make, a fair profit with regard to the service performed for Kaiser Steel Corporation; and the written contracts under which applicant has served Kaiser Steel Corporation for the past ten to fifteen years provide for rates and charges to be assessed and paid thereunder in total sums equal to the rates and charges which would have been assessed by applicant under its certificated operations as authorized in Decision No. 63511, dated April 3, 1962, in Application No. 43503; that it does not service any other customers relative to the stated commodities in the area concerned; and that the granting of this application will not have any adverse effect upon applicant's other business operations nor any adverse effect upon competing truckers.

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The California Trucking Association, by letter dated February 8, 1968, states that it has no objection to the ex parte consideration of the application, and no protest has been received.

In the circumstances, it appears, and the Commission finds, that the proposed continuation of the one-year suspension for another year to April 1, 1969, is not adverse to the public interest. A public hearing is not necessary.

The application will be granted.

IT IS ORDERED that:

1. The suspension of applicant's authority authorized by Decision No. 72140, dated March 14, 1967, is hereby extended for an additional one-year period and the last sentence of paragraph 1 of said decision is amended to state that said suspension shall continue in effect to and including April 1, 1969.

2. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized and directed to amend its tariffs on file with the Commission in which Monson Truck Company is shown as a participating carrier to indicate that the portion of the operative right of said carrier described herein is under suspension pursuant to order of the Commission.

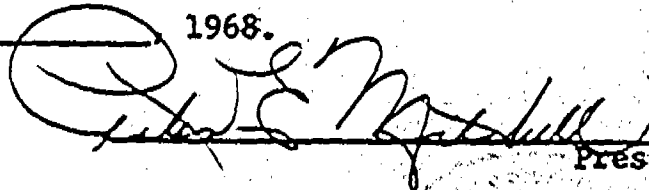
3. Tariff publications authorized and directed to be made as a result of the order herein shall be made effective not earlier than

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five days and not later than sixty days after the effective date of this order on not less than five days' notice to the Commission and to the public.

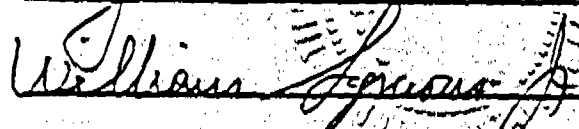
The effective date of this order shall be April 1, 1968.

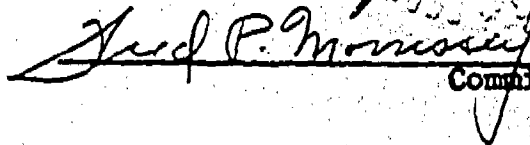
Dated at Los Angeles, California, this 26th
day of MARCH 1968.



President







Commissioners

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