

**ORIGINAL**

Decision No. 73907

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Robert A. Alto )  
and Cecil E. Alto, dba Alto )  
Bros. Trucking for deviation )  
from provisions of Item 680, )  
MRT No. 2. )

Application No. 49974  
(Filed January 26, 1968)

OPINION AND ORDER

Robert A. Alto and Cecil E. Alto, doing business as Alto Bros. Trucking, hold radial highway common carrier and city carrier permits. By this application they seek authority to use actual weights in lieu of provided weights in computing charges for the transportation of lumber in the Eureka, Arcata, Fortuna and Willits areas for distances not exceeding 50 constructive miles.<sup>1</sup> The sought authority would apply only in connection with shipments transported for shippers hereinafter designated.

Charges are generally assessed for the transportation of lumber and forest products under the provisions of Minimum Rate Tariff No. 2 on provided weights in pounds based on board foot measurements for distances not exceeding 50 constructive miles and on actual gross weights in pounds for distances exceeding 50 constructive miles. The provided weights have been in general use in place of actual weights for some time as it has been recognized that actual weights for lumber traffic in short-haul deliveries cannot ordinarily be obtained without interfering with the shippers' service requirements and without incurring added costs.<sup>2</sup>

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<sup>1</sup> The provided weights are set forth in Item No. 680 of Minimum Rate Tariff No. 2.

<sup>2</sup> Decision No. 44893 dated October 10, 1950.

Applicants allege that provided weights predicated on averages and assumptions are unreasonable and improper when used as a basis in determining the rates for the transportation of lumber and forest products for the shippers involved and the use of these weights is objectionable to such shippers. Applicants assert that they have found that actual weights, supported by certified weigh-master's certificates, produce reasonable and proper charges for the transportation in question.

Copies of the application were mailed to California Trucking Association and to interested shippers on or about January 18, 1968. The application was listed on the Commission's Daily Calendar of January 29, 1968. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that applicants' proposal is reasonable. A public hearing is not necessary. The Commission concludes that the application should be granted. However, as the conditions surrounding the transportation may change, the authority should be made to expire at the end of one year, unless sooner canceled, changed or extended by order of the Commission.

IT IS ORDERED that:


1. Robert A. Alto and Cecil E. Alto are hereby authorized to assess charges on shipments of lumber and forest products less than the charges otherwise applicable but not less than the charges applicable under the minimum rates based on the actual weights when such shipments are transported for Arcata Redwood Co., Crown Redwood Co., James Redwood Sales, Reid & Wright Co., Simpson Timber Co. and Seaside Lumber Co. and provided that actual weights are used in all instances.

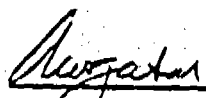
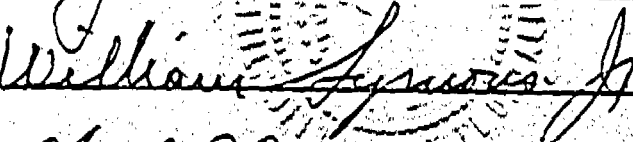
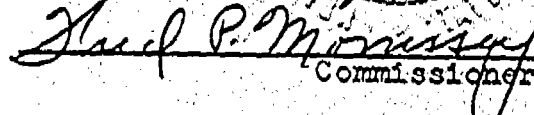
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2. The authority herein granted shall expire one year after the effective date of this order, unless sooner canceled, changed or extended by order of the Commission.

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

Dated at Los Angeles, California, this 26<sup>th</sup> day of March, 1968.

  
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President

  
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Commissioners.

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