

(SPT) A. 50545 - np

Decision No. 74887

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF: )  
 )  
 EDWIN A. BEERS AND WILLIAM G. MINNIS, )  
 a Partnership, doing business as )  
 BEERS & MINNIS, under the Shortened )  
 Procedure Tariff Docket, to make )  
 increases in the rates on Grain and )  
 Safflower Seed named in Item 220 of )  
 Edwin A. Beers and William G. Minnis, )  
 A Partnership, doing business as Beers )  
 & Minnis, Local Freight Tariff No. 4-A, )  
 Cal. P.U.C. No. 5 (Issued in the series )  
 of THE RIVER LINES, INC.), 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. 50545  
 (Filed September 13, 1968)

-AND- )  
 For authority to depart from the terms )  
 of Section 454 of the Public Utilities )  
 Code in accomplishing proposed )  
 publication. )

OPINION AND ORDER

Edwin A. Beers and William G. Minnis, doing business as Beers & Minnis (Beers & Minnis), are engaged primarily in the transportation of property by vessel on San Francisco Bay and on the Sacramento and San Joaquin Rivers and their tributaries. By this application, Beers & Minnis seek authority: (1) to increase certain rates and cancel other rates on safflower seed; (2) to increase certain grain rates; (3) to establish a single minimum weight of 1,000 tons to govern the rates on grain and safflower seed; (4) to increase the charges for detention and for stopping in transit to complete loading; and (5) to establish reduced rates on grain from various points to Sacramento and Stockton.<sup>1</sup>

<sup>1</sup> Increases in the safflower seed rates ranging from 7 to 33 percent and an increase of 10 cents per ton in the grain rates which afford pickup service at Grimes are involved. Increases from \$30 to \$40 per hour for detention and \$100 to \$200 for stopping in transit to complete loading are proposed. A minimum weight of 1,000 tons is also proposed in lieu of minimum weights of 800 tons on grain and 800, 1,000 and 1,500 tons on safflower seed. The adjustments in question, which are set forth in detail in Exhibit A attached to the application, are to be published in Local Freight Tariff No. 4-A, Cal.P.U.C. No. 5 (Series of The River Lines, Inc.).

Applicants state that, since the inception of the safflower seed movement in 1960, the grain rates have been applied to such transportation. Applicants allege that safflower seed is a unique commodity, and that experience has shown that safflower seed should be transported under its own rate structure. Applicants aver that the sought increases in rates and charges are required to cover increased operating expenses and that the increase in the minimum weight will return sufficient additional revenue to obviate the necessity for a general increase in the grain rates and greater increases in the safflower seed rates than those proposed herein.

Applicants declare that there is no movement of safflower seed between the points covered by the rates, which they seek to cancel. Applicants assert that they will promptly reinstate such rates in the event that a substantial movement should develop.

Applicants state that they have discussed their rate proposal with Pacific Vegetable Oil Company, the only shipper of safflower seed utilizing their services, and that this shipper has informed them that it has no objection to such proposal. Applicants allege that the grain shippers using their services are members of the Northern California Grain Exchange at Stockton and that they also notified the exchange concerning the rate adjustments involved. The application was listed on the Commission's Daily Calendar of September 16, 1968. No objection to the granting of the application has been received.

Applicants assert that increases resulting from the proposal herein would not increase applicants' California intra-state gross revenue by as much as one percent.

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

IT IS ORDERED that:

1. Beers & Minnis are hereby authorized to publish increased rates and charges and other related provisions on safflower seed and grain in their Local Freight Tariff No. 4-A, Cal.P.U.C. No. 5 (Series of The River Lines, Inc.), 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 two days after the effective date of this order on not less than two 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 hereof.

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

Dated at San Francisco, California, this 29<sup>th</sup> day of October, 1968.

William Agnew, Jr.  
President  
Ed E. [unclear]  
William G. Beards  
[unclear]  
Commissioners