

Decision No. 75200

ORIGINAL

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 WALTER F. PETERS,)
DOING BUSINESS AS PETERS TRUCK LINES,)
 under outstanding Power of Attorney on)
 file with the Commission, under the)
 shortened procedure Tariff Docket, to)
 make increases on Storage Charges as)
 presently published in Rule No. 220)
 (See Exhibit "A" hereof), of Walter)
 F. Peters, d/b/a Peters Truck Lines,)
 Local and Joint Freight Tariff No. 1,)
 Cal. P.U.C. No. 1 (Series of Walter)
 F. Peters and Myron D. Peters, d/b/a)
 Peters Truck Lines), to the extent)
 outlined in Exhibit "B" attached here-)
 to, and by reference thereto, made a)
 part of this application.)

Shortened Procedure
 Tariff Docket
 Application No. 50626
 (Filed October 18, 1968)

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

OPINION AND ORDER

By this application, C. R. Nickerson, Agent, seeks authority, for and on behalf of Walter F. Peters, doing business as Peters Truck Lines, (Peters) to revise the storage charges and provisions, which apply to ship-¹ments that Peters is unable to deliver.

Applicant proposes to cancel Peters' current storage rule, which provides five days' free time before storage charges accrue and storage charges of 2 cents per 100 pounds for each of the first five days, minimum charge 30 cents, and 4½ cents per 100 pounds for the sixth and each succeeding day, minimum charge 60 cents. In lieu of the current storage

¹ The current storage charges and provisions are named in Rule No. 220 of Walter F. Peters, d/b/a Peters Truck Lines, Local and Joint Freight Tariff No. 1, Cal. P.U.C. No. 1 (Series of Walter F. Peters and Myron D. Peters, d/b/a Peters Truck Lines). The proposed storage charges and provisions, which are set forth in detail in Exhibit "B" attached to the application, are to be published in Rule 139 of the above tariff.

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charges and provisions, applicant seeks to establish a free time period of two days and storage rates of 20 cents per 100 pounds per calendar day, minimum charge \$1.00 per calendar day and \$3.00 per shipment, on shipments requiring temperature control or refrigeration and 10 cents per 100 pounds per calendar day, minimum charge 60 cents per calendar day and \$1.50 per shipment, on other shipments. Applicant also proposes to publish an additional charge of \$2.20 per ton when a shipment is unloaded from a vehicle and reloaded on a vehicle for subsequent delivery.

Applicant states that the present storage charges and provisions have been in effect without change since June 22, 1950, and are unrealistic. Applicant avers that the storage charges do not cover the carrier's out-of-pocket costs for performing such services and that the storage space occupied by these shipments could be used for more profitable purposes. Applicant alleges that the proposed charges and provisions will have the effect of offsetting a portion of the higher costs which accrue when Peters is unable to effect delivery of such shipments and must hold them on his premises or in his equipment until delivery can be accomplished.

Applicant asserts that the proposed increases would not increase the California intrastate gross revenue of Peters by as much as one percent.

The application was listed on the Commission's Daily Calendar of October 21, 1968. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that increases resulting from publication of the storage charges and provisions, 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. C. R. Nickerson, Agent, on behalf of Walter F. Peters, is hereby authorized to publish increased storage charges and provisions as proposed in the application.

2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and 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 San Francisco, California, this 14th day of January, 1969.

William Synoux Jr.
President

Augustus
Fred R. Morrison

Commissioners

Commissioner J. P. VUKASIN, JR.

Present but not participating.

Commissioner THOMAS MORAN

Present but not participating.