

ORIGINALDecision No. 75389

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
 of WALTER F. PETERS, an individual
 doing business as PETERS TRUCK
 LINES, for authority to depart from
 minimum rates, rules and regulations
 applicable in connection with
 certain transportation.

Application No. 50846
 (Filed January 29, 1969)

OPINION AND ORDER

Applicant holds a radial highway common carrier permit. By Decision No. 73844 dated March 12, 1968, in Application No. 49988, he was authorized to assess less-than-minimum rates for the transportation of potatoes in sacks, boxes or bins for specified shippers from Macdoel and points within 15 airline miles thereof to Sacramento, Santa Rosa, Monterey, Stockton, Modesto and points within the San Francisco Bay area. The current authority is scheduled to expire with April 1, 1969.

By this application, applicant seeks modification and extension of the current rate authority for an additional one-year period. Applicant asks that the existing authority be modified by increasing the rates per 100 pounds now authorized from Macdoel to San Francisco, South San Francisco and Modesto by one cent, to Monterey and Fort Ord by three cents and to all other points by two cents; by including San Jose as a destination point; and by authorizing a less-than-minimum rate of 58 cents per 100 pounds to said new destination.

With the exception of the proposed rate to San Jose, less-than-minimum rates to the points involved herein were found to be reasonable and justified by transportation conditions upon the basis of evidence received at a public hearing on the original application for such authority.^{1/} The evidence of record showed that the interstate movement of potatoes to points in California from competitive growing areas near Macdoel, but located in Oregon, is not subject to rate regulation and that the rates for such transportation are negotiated between shippers and carriers. The shippers involved indicated that they would discontinue purchasing potatoes in the Macdoel area for shipment to California points unless intrastate rates competitive with those applicable to the aforementioned interstate movements were made available to them from Macdoel. The same facts and circumstances prevail with respect to shipments to San Jose.

Applicant alleges that, except for increases in operating costs, the transportation conditions which justified the granting of the current authority continue to exist. Applicant asserts that the proposed increases in rates properly reflect the increased costs of handling this traffic during the past year. Based on his operating experience during such period, applicant avers that he can continue to provide the same service plus the additional service to San Jose at the proposed rates and realize a satisfactory profit.

Revenue and expense data submitted by applicant indicate that the transportation involved reasonably may be expected to be profitable for the ensuing year.

^{1/} See Decision No. 70426 dated March 8, 1966, in Application No. 47969.

The certificate of service shows that a copy of the verified application was mailed to California Trucking Association on January 28, 1969. The application was listed on the Commission's Daily Calendar of January 30, 1969. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable and justified by transportation conditions. A public hearing is not necessary. The Commission concludes that the application should be granted. In view of the impending expiration date of the current authority, the order which follows will be made effective April 1, 1969.

IT IS ORDERED that:

1. Walter F. Peters is authorized to transport potatoes, in sacks, boxes or bins, from Macdoel and points within a radius of 15 airline miles of Macdoel for the companies named and to the points indicated in Appendix A, attached hereto and by this reference made a part hereof, at rates less than the established minimum rates but not less than those set forth, and subject to the conditions specified, in said Appendix A.

2. The authority herein granted shall, on and after April 1, 1969, supersede the authority granted by Decision No. 73844 and shall expire with April 1, 1970.

The effective date of this order shall be April 1, 1969.

Dated at San Francisco, California, this
4th day of MARCH, 1969.

William J. Brown
President

John P. Morrison
(V. F. Brown)

John P. Morrison
Commissioners

APPENDIX A

APPLICATION OF RATES

CARRIER: Walter F. Peters, dba
PETERS TRUCK LINES

SHIPPERS FOR WHOSE ACCOUNT SERVICE IS TO BE PROVIDED:

Butte Valley Farms, Inc.	Bob Cheyne
Macdoel Potato Co.	Wesley McKegg
Geo. Yost	Safeway Stores, Inc.
Carl Colson Farms	Klamath Potato Distributors, Inc.
Nick Dellis Co., Inc.	Sunnystate Produce
L and K Produce	A. Levy and J. Zentner, Inc.

1. COMMODITY:

Potatoes, fresh, in sacks, boxes or bins.

2. RATES:

		Rates in Cents Per 100 Pounds	
		Minimum Weight 42,000 Pounds	Minimum Weight 45,000 Pounds
		(Per Shipment)	
<u>FROM:</u>			
Macdoel and points and places within a radius of 15 airline miles of Macdoel.			
<u>TO:</u>			
Sacramento		49	--
Fairfield, Suisun, Travis Air Base	}	53	--
Richmond, Berkeley, Emeryville, Oakland, San Leandro, San Lorenzo, Hayward	} }	--	55
San Francisco, South San Francisco	} }	56	--
Santa Rosa		--	55
Monterey, Fort Ord		--	72
Stockton		--	53
Modesto		--	55
San Jose		--	58

3. In all other respects, the provisions of Minimum Rate Tariff
No. 8 are applicable.

(END OF APPENDIX A.)