

Decision No. 75401**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of FRUITVALE DRAYAGE, INC. a)
 California corporation, for)
 authority to deviate from the)
 minimum rates authorized by)
 Minimum Rate Tariff No. 8.)

Application No. 50868
 (Filed February 7, 1969)

OPINION AND ORDER

Applicant holds radial highway common carrier and highway contract carrier permits. By Decision No. 73908 dated March 26, 1968, in Application No. 50017, it was authorized to continue to assess monthly vehicle unit rates for the transportation of nuts in the shell, fresh mushrooms and fruits and vegetables (not cold pack nor frozen) for Louis Stores between the shipper's warehouse in Emeryville and its retail stores, and between such retail stores.^{1/} The current authority is scheduled to expire with March 31, 1969. By this application, authority is sought to continue to deviate from the established minimum rates and charges otherwise applicable for a further one-year period.

According to the application, applicant and its predecessor have, for many years past, been engaged exclusively in the transportation of groceries and related items for Louis Stores. Applicant alleges that the conditions surrounding the transportation involved as set forth in its prior applications are the same now as they were at the time of the prior filings and warrant the granting of the authority requested herein.

^{1/} The original authority was granted by Decision No. 65168 in Application No. 45009, and annually renewed.

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

The application shows that a copy thereof was mailed to California Trucking Association. The application was listed on the Commission's Daily Calendar of February 10, 1969. No objection to its being granted has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable and consistent with the public interest. 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 March 31, 1969.

IT IS ORDERED that:

1. Fruitvale Drayage, Inc., a corporation, is hereby authorized to transport nuts, in the shell, fresh mushrooms and fruits and vegetables (not cold pack nor frozen) for Louis Stores at monthly vehicle unit rates and charges no lower than those set forth in Minimum Rate Tariff No. 15 between the shipper's warehouse in Emeryville and its retail stores, and between its retail stores.

2. The authority herein granted shall, on and after March 31, 1969, supersede the authority granted by Decision No. 73908 and shall expire with March 31, 1970.

The effective date of this order shall be March 31, 1969.

Dated at San Francisco, California, this 11th
day of 1 MARCH, 1969.

Alvin J. Allen
President

Alfred P. Monahan
E. P. Monahan

Thomas Monahan
Commissioners