

ORIGINALDecision No. 76120

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of WESLEY L. HANSEN and HERBERT W.)
HAMMOND, Co-partners, doing business)
as H & W TRUCKING, under Section)
3666 of the Public Utilities Code)
of the State of California, for)
authority to charge rates less than)
those prescribed in Minimum Rate)
Tariff No. 15 for the transportation)
of animal feed and related articles)
for the account of SALYER GRAIN &)
MILLING CO. within a radius of 125)
miles of Corcoran, California.)

Application No. 50908
(Filed February 24, 1969)

William H. Kessler, for applicants.
Ralph Hubbard, for California Farm Bureau, Ralph
Hubbard and J. C. Kaspar, for California
Trucking Association, interested parties.
Joseph C. Matson, for the Commission staff.

O P I N I O N

Applicants transport animal feed and related articles between the plant of Salyer Grain & Milling Co. at Corcoran and various cattle feeding lots and ranches within 125 miles of Corcoran. Authority is sought to perform said transportation at a rate of 33 cents per round-trip mile in lieu of the rates named in Minimum Rate Tariff No. 15.

Public hearing was held before Examiner O'Leary on June 17, 1969 at Fresno and the matter was submitted. Copies of the application and notice of hearing were served in accordance with the Commission's procedural rules. There are no protests.

By interim order in Decision No. 75510, dated April 1, 1969, applicants were authorized to assess the sought rate of 33 cents per round-trip mile. The interim authority is scheduled to expire October 1, 1969.

Counsel for applicants requested the application be amended to show applicants to be Wesley L. Hansen, Herbert W. Hammond and Melvin Waters, copartners, doing business as H & W Trucking. The new partnership was formed and the radial highway common carrier permit issued to Wesley L. Hansen and Herbert W. Hammond was transferred to the new partnership on May 13, 1969.

The description of the service performed is set forth in Decision No. 75510 and need not be repeated herein.

Evidence in support of the application was presented by one of the partners and the bookkeeper for applicants. The evidence discloses that the revenue derived from the assessment of the sought rate is slightly more than the revenue that would be derived if the minimum rates set forth in Minimum Rate Tariff No. 15 were assessed. The transportation at the proposed rates will result in an operating ratio of approximately 83 percent.

Based on the evidence adduced the Commission finds that the proposed rates will be compensatory and are reasonable and justified.

The Commission concludes that the application should be granted. As conditions may change, the authority will be made to expire one year after the effective date of this order unless sooner canceled, changed or extended by order of the Commission.

O R D E R

IT IS ORDERED that:

1. Wesley L. Hansen, Herbert W. Hammond and Melvin Waters, doing business as H & W Trucking, are authorized to depart from the minimum rates set forth in Minimum Rate Tariff No. 15 for the transportation of animal feed and related articles for Salyer Grain & Milling Co. between that company's plant at Corcoran and cattle feeding yards and ranches within a radius of 125 actual miles of Corcoran subject to the following conditions:

- (a) Shipments shall be transported in trailers owned by the shipper.
- (b) Shipments shall be loaded by the shipper.
- (c) The rate to be assessed shall be 33 cents per mile based on the actual round-trip mileage traversed.
- (d) Applicants shall maintain records showing beginning and ending odometer reading for each trip for each unit of equipment used in the transportation under the rate deviation authorized herein. Such records shall be maintained for a period of three years.

2. The authority granted herein shall expire one year after the effective date of this order.

3. The authority granted in paragraph 1 of this order shall supersede the authority granted by Decision No. 75510, which authority is revoked effective concurrently with the effective date of this order.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 3rd day of SEPTEMBER, 1969.

William J. ...
President
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Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.