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ORIGINAL

Decision No. 26317

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation )  
 into the rates, rules and regulations, )  
 charges, allowances and practices of )  
 all common carriers, highway carriers )  
 and city carriers relating to the )  
 transportation of any and all )  
 commodities between and within all )  
 points and places in the State of )  
 California (including but not limited )  
 to, transportation for which rates )  
 are provided in Minimum Rate Tariff )  
 No. 2).

Case No. 5432  
 Petition for Modification  
 No. 555  
 (Filed  
 September 25, 1969)

O P I N I O N

By Decision No. 74808, dated October 8, 1968 John M. Brainerd, doing business as Flo'Del Company, was authorized to publish minimum charges per shipment less than those set forth in Minimum Rate Tariff No. 2 for the transportation of fresh cut flowers, potted plants, fresh floral wreaths, and other floral arrangements weighing 50 pounds or less between certain points within the San Francisco Bay Area. Said authority will expire on November 6, 1969.

By this petition, petitioner requests the authority granted by Decision No. 74808 be extended for an additional year.

Exhibits A and C, attached to the petition disclose that petitioner's overall operations for the year were profitable, and that the transportation under the authority heretofore granted has resulted in an operating ratio of approximately 96%.

Petitioner alleges that if the petition is not granted, substantially all of the shipments transported pursuant to the rate deviation will no longer be transported by petitioner. In lieu of utilizing petitioner's service retail florists will utilize "Florist Telegraphed Delivery", which is a service whereby a retail florist, on receiving an order for flowers which involves delivery to a distant point, telephones or telegraphs a local florist at the destination point to make delivery from the latter's stock. Petitioner declares that the latter florist then compensates the florist at point of origin based on a percentage of the sale price to the customers. Under such arrangement, petitioner states that no inter city transportation service is performed by him.

A copy of the petition was mailed to the California Trucking Association. The petition was listed on the Commission's Daily Calendar of September 26, 1969. No objection to the granting of the petition has been received.

In the circumstances it appears and the Commission finds, that the rates sought herein are reasonable and justified by transportation conditions. The Commission concludes that the authorized rates should be continued for a further one year period. In view of the expiration date of the currently published rates the order which follows will be made effective on the date hereof.

O R D E R

IT IS ORDERED that:

1. John M. Brainerd, doing business as Flo'Del Company, is hereby authorized to publish and file, to expire with November 6, 1970, minimum charges per shipment for the transportation

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of fresh cut flowers, potted plants, fresh floral wreaths and other floral arrangements as set forth, and subject to the conditions specified, in Appendix A attached hereto and by this reference made a part hereof.

2. Tariff filings required by the order herein may be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and to the public.

The effective date of this order shall be the date hereof.

Dated at Los Angeles, California, this 21st  
day of OCTOBER, 1969.

William Symons - P  
President  
[Signature]  
[Signature]  
[Signature]  
Vernon L. Stevenson  
Commissioners

APPENDIX A

1. John M. Brainerd, doing business as FLO' DEL COMPANY, is authorized to establish minimum charges as set forth below for the transportation of shipments of fresh cut flowers, potted plants, fresh floral wreaths and other floral arrangements, weighing 50 pounds or less, from retail florists and between points served along the authorized routes indicated, when the distance between such points exceeds 35 constructive miles determined in accordance with the provisions of the Commission's governing distance table:

<u>Weight of Shipment (In Pounds)</u>		<u>Minimum Charge In Cents per Shipment</u>	
<u>Over</u>	<u>But Not Over</u>	<u>(a)</u>	<u>(b)</u>
0	14	175	175
14	25	200	200
25	29	225	225
29	50	250	250

- (a) Applies to shipments from retail florists located on ROUTE 1 or ROUTE 2 when the distance between point of origin and point of destination exceeds 35 miles computed in accordance with governing distance table.
- (b) Applies to shipments from retail florists to their customers located on ROUTE 3 or ROUTE 4, when the distance between point of origin and point of destination exceeds 35 miles computed in accordance with governing distance table.

- ROUTE 1. -San Francisco, El Cerrito, Albany, Berkeley, Piedmont, Emeryville, Oakland, Alameda and San Leandro.
- ROUTE 2. -San Francisco, Palo Alto and intermediate points upon U. S. Highways 101 and By-Pass 101.
- ROUTE 3. -San Francisco, Sausalito, Mill Valley, Corte Madera, Larkspur, Ross, Kentfield, San Anselmo, Fairfax, San Rafael, Tiburon, Belvedere and intermediate points.
- ROUTE 4. -San Francisco, Orinda, Lafayette, Walnut Creek and intermediate points.