

Decision No. ~~77163~~

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

WALTER SPHAR DBA WALTER SPHAR
TRUCKING P. O. Box 83, Likely,
Calif. to extend my Application
for another year for the trans-
portation of peat moss.

Application No. 51796
(Filed March 31, 1970)

OPINION AND ORDER

Walter Sphar operates as a radial highway common carrier. By Decision No. 75653, dated May 13, 1969, in Application No. 50980, he was authorized to assess rates less than the minimum rates but not less than 85 percent of the Class 35.3 rates named in Minimum Rate Tariff No. 2, subject to a minimum weight of 44,000 pounds, for the transportation of peat moss from the plant of Radel, Inc., at Likely (Modoc County). The current authority is scheduled to expire with May 21, 1970. By this application, an extension of the current authority is sought for a further one-year period.

Applicant states that he has been in the trucking business for the past eleven years and lives within two blocks of the Radel, Inc., plant at Likely where his trucks are loaded by the shipper's own employees. He has been hauling peat moss since May, 1961, under prior authorities granted by the Commission, at 85 percent of the applicable minimum rate plus the full amount of surcharges and split delivery charges which may be applicable. Applicant transports the peat moss to points as far north as Redding and as far south as Bakersfield and has found the current rates to be satisfactory. Applicant asserts that he usually averages eight loads per week with a minimum weight of 44,000 pounds per load.

A copy of the application was served on California Trucking Association. The application was listed on the Commission's Daily Calendar of April 1, 1970. 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. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. Walter Sphar is hereby authorized to assess rates less than the minimum rates but not less than 85 percent of the Class 35.3 rates named in Minimum Rate Tariff No. 2 (subject to all other applicable rules and charges in said tariff), subject to a minimum weight of 44,000 pounds per shipment, for the transportation of peat moss from the plant of Radel, Inc., at Likely (Modoc County) when all loading of the vehicle is done by the shipper.

2. The authority herein granted shall, on and after May 21, 1970, supersede the authority granted by Decision No. 75653 and shall expire with May 21, 1971.

The effective date of this order shall be May 21, 1970.

Dated at San Francisco, California, this 5th day of MAY, 1970.

William Sphar
President

Angela

W. P. Rubin

[Signature]

Yvonne L. Stringer
Commissioners