

ORIGINAL

Decision No. 77596

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)

C. R. NICKERSON, Agent and Attorney,)
for and on behalf of NAVAJO FREIGHT)
LINES, INC., Operator of Arthur R.)
Faughn, doing business as)
FAUGHN'S TRANSPORTATION, under)
authority of outstanding Power of)
Attorney, under the Shortened)
Procedure Tariff Docket, for)
authority to cancel all rates and)
charges in Section 9 of Pacific)
Coast Tariff Bureau, Local Freight)
Tariff No. 19, Cal.P.U.C. No. 44,)
of C. R. Nickerson, Agent, and in)
lieu thereof, allow rates and)
charges presently in effect on)
the same basis as Minimum Rate)
Tariff No. 1-B, including Rules)
and Regulations governing same)
to apply.)

Shortened Procedure
Tariff Docket
Application No. 51943
(Filed June 5, 1970)

- AND -

For authority to depart from the)
terms of Section 454 of the Public)
Utilities Code when accomplishing)
proposed publication.)

OPINION AND ORDER

By this application, C. R. Nickerson, Agent, on behalf of Navajo Freight Lines, Inc., Operator of Arthur R. Faughn, doing business as Faughn's Transportation (Navajo), seeks authority to cancel from one of his tariffs certain rail-competitive rates and charges for the transportation of general commodities between docks, piers and wharves in the East Bay Drayage Area, on the one hand, and industries and warehouses located at railheads in that area, on the

other hand.¹ Under this proposal, higher class or commodity rates would apply upon cancellation of the rates and charges in question.

Applicant states that Navajo's records indicate that no shipments have moved under the involved rates since June 2, 1969, and that the carrier should be relieved of the cost of maintaining in its tariff rates and charges on which no traffic is moving.

Applicant asserts that increases resulting from the proposal herein would not increase the California intrastate gross revenue of Navajo by as much as one percent.

The application was listed on the Commission's Daily Calendar of June 8, 1970. No objection to the granting of the application has been received.

The Commission staff recommends that the application be granted by ex parte order since service under the rates in question has not been utilized by shippers.

In the circumstances, it appears, and the Commission finds that increases resulting from cancellation of the rates and charges as specifically proposed in the application are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. C. R. Nickerson, Agent, is hereby authorized, on behalf of Navajo Freight Lines, Inc., Operator of Arthur R. Faughn, doing business as Faughn's Transportation, to cancel from his Pacific Coast Tariff Bureau Local Freight Tariff 19, Cal.P.U.C. No. 44, rates and charges as specifically proposed in the application.

¹ The rates and charges are set forth in Items Nos. 900, 910 and 920 of Pacific Coast Tariff Bureau Local Freight Tariff 19, Cal. P.U.C. No. 44 of C. R. Nickerson, Agent.

2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and to the public.

3. The authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 11th day of August, 1970.

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Chairman

William J. ...
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Commissioners

Commissioner J. P. Yukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.