

Decision No. 77977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SHARP FARMS TRUCKING, )  
 INC. for authority to depart from )  
 minimum rates in connection with )  
 certain transportation to be per- )  
 formed for Ray Tolson Mills in )  
 Woodland, California. )

Application No. 52252  
 (Filed October 19, 1970;  
 Amended October 26, 1970)

INTERIM OPINION

Sharp Farms Trucking, Inc. (Sharp), a radial highway common carrier, engages in the transportation of agricultural commodities. In this application, Sharp seeks authority to charge less than the established minimum rates on paddy rice in connection with transportation performed for Ray Tolson Rice Mill in Woodland.

The application requests a temporary ex parte order authorizing Sharp to assess the proposed less-than-minimum rates pending hearing. In support of this request, the application alleges as follows: Sharp has been charging rates on the same level as the rates sought herein, on the basis that the transportation was interstate in character. Upon being informed, by letter from the Commission staff dated July 13, 1970, that the transportation from rice driers and rice mills to the Ray Tolson Mill constitutes intrastate commerce, Sharp took immediate steps to prepare the instant application. During the time applicant operated in the good faith belief that it was not subject to regulation by this Commission, it operated at a profit under rate levels below the minimum rates on paddy rice in Minimum Rate Tariff No. 14-A.

Operating revenues and expenses attached to the application as Exhibit G, covering the nine-month period ended January 31, 1970, show that applicant operated at a profit in this period. Cost information attached to the application indicates that operations at the proposed rate levels will be conducted at a profit in the future.

Notice of the filing of the application and the amendment thereto appeared on the Commission's Daily Calendar, and copies thereof were served on the California Trucking Association. No objection to the granting of interim relief has been received.

Subject to further review upon consideration of evidence which may be adduced at a public hearing, it appears, and the Commission finds, that the proposed rates are reasonable. In view of the existing conditions, the Commission concludes that applicant should be granted interim authority for a period of six months. A future hearing will be scheduled in this proceeding.

INTERIM ORDER

IT IS ORDERED that:

1. Sharp Farms Trucking, Inc., a corporation, is authorized to transport paddy rice for Ray Tolson Rice Mill from and to the points set forth in Appendix A, attached hereto, at rates less than the established minimum rates, but not less than those set forth, and subject to the conditions specified, in said Appendix A.

2. The authority granted herein shall expire six months after the effective date of this order unless sooner canceled, modified or extended by order of the Commission.

3. A public hearing shall be scheduled in this proceeding for the receipt of evidence on this application and full disposition thereof.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 24th day of NOVEMBER, 1970.

[Signature] Chairman  
[Signature]  
William J. ...  
[Signature]  
Vernon L. Sturgeon Commissioner

APPENDIX A  
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## SHARP FARMS TRUCKING, INC.

Commodity: Paddy Rice, in bulkMinimum Weight: 52,000 poundsTo: Ray Tolson Rice Mill, WoodlandFrom:

<u>Warehouse or Drier</u>	<u>Location</u>	<u>Rate in Cents Per 100 Pounds</u>
Bronner Whse.	Biggs	13
Bultena Drier	Durham	14
Butte City Whse.	Princeton	13
Butte City Whse.	Butte City	14
Butte Creek Drier	Butte City +6	14
Butte County Rice Drier	Richvale	13
California Dehydrator	West Sacramento	6.5
Collins & Story Whse.	Robbins	6.5
College City Whse.	College City	10
County Line Whse.	Hershey	7
Colusa Glenn Drier	Maxwell	12
Charles Johnson Bins	Biggs	13
DePue Whses.		
Azevedo	Williams	11
Spooner	Williams +1	11
Berlin	Generva	11
Delevan/Maxwell	Delevan	12
Erdman Drier	Knight's Landing	7
Erle Drier	Marysville +2	10
Farmers Rice Co-op	Princeton (Stegeman)	12
Farmers Rice Co-op	W. Sacramento	6.5
Hoffman Drier	Ostrom +2	11
Hi and Dri Whse.	Sutter	11
Hi and Dri Whse. Dist. 10	Marysville +5	10
Heyrico	Woodland	4
Gridley Whse.	Gridley	12
C.B.C. Whse.	Woodland	2
W. P. Jopson Drier	Trowbridge	10
Cheney Drier	Williams +3	11
Kalsfbeck Drier	College City	10
Red Top Drier	Biggs	12
Sacramento River Whse.	Colusa & Eastside	13
Sacramento River Whse.	Grimes	13
Sacramento River Whse.	Millers Landing	8
Fritz Strain Drier	Generva	8
Pacific Internat'l Rice Mills	Woodland	3
La Mafia Drier	Richvale +2	14
Sutter Drier	Knight's Landing	6
Tyndall Whse.	Tyndall	7
Woodland Whse.	Woodland	4
Willows Rice Drier	Willows	13

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SHARP FARMS TRUCKING, INC.

<u>Warehouse or Drier</u>	<u>Location</u>	<u>Rate in Cents Per 100 Pounds</u>
Van Dyke Drier	Pleasant Grove	10
Terrel Farms Drier	Colusa +12	13
Weyan Drier (Lundberg)	Richvale +2	14
Rice Growers Assn.	Sacramento	6.5
RGA Westside	Riz	13
Ruff and Ripple	Marysville +3	12
Shintaffer Drier	Marysville	11
Tom Gordon	Princeton +2	14
T. B. Sills	Riego	6.5
Glenn Growers	Codora	13
Doty Brick Whse.	Biggs	13
John Fenn Drier	Live Oak +8	13