

MS

ORIGINAL

Decision No. 78997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
LARRY QUIGLEY, doing business as an )  
individual, for Authority to Depart )  
from the Provisions of Minimum Rate )  
Tariff No. 2. )

Application No. 52544  
(Filed April 12, 1971)

OPINION AND ORDER

By this application Larry Quigley, a radial highway common carrier, seeks authority under Section 3666 of the Public Utilities Code to depart from the provisions of Item 682 of Minimum Rate Tariff 2, which require securing certified weight tags on shipments of lumber.

Applicant transports green and dried Douglas Fir from the Twin Harbors Lumber Company at Dinsmore to Carlotta (both in Humboldt County), a distance of 64 constructive miles. Applicant states that there are no public scales along this route; that the closest scale is at Alton, six miles beyond Carlotta; and that the scales at Alton are closed a good deal of the time.

Attached to the application is a record of recent rail carload shipments by Twin Harbor Lumber Company, which shows that green Douglas Fir lumber averaged 2,332 pounds per 1,000 feet and that the dry white fir averaged 1,800 pounds per 1,000 feet. Applicant herein seeks authority to use the above estimated weights in lieu of obtaining certified weights as required by Item 682.

A copy of the application was served on the California Trucking Association. The application was listed on the Commission's Daily Calendar of April 13, 1971. No protests to the granting of the application have been received.

The Commission finds that under the circumstances here involved the obtaining of certified weights would place an undue burden on applicant. We further find that the use of applicant's proposed estimated weights will result in reasonable rates and charges. The Commission concludes that the application should be granted, but limited to a one-year period as conditions may change. A public hearing is not necessary.

IT IS ORDERED that:

1. Larry Quigley is authorized to deviate from the requirement in Item 682 of Minimum Rate Tariff 2 of obtaining certified weighmaster certificates on shipments of green and dried Douglas Fir lumber from the Twin Harbors Lumber Company at Dinsmore, California, to Carlotta, California, and in lieu thereof shall use estimated weights per 1,000 board-feet of 2,332 pounds for green lumber, and 1,800 pounds for dry white lumber.

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

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

Dated at San Francisco, California, this 10<sup>th</sup> day of AUGUST, 1971.

[Signature]  
Chairman  
William Guore Jr.  
[Signature]  
Vernon L. Sturgeon  
[Signature]  
Commissioners