

Decision No. 79113

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of C.A.T., INC., dba Nevada C.A.T., Inc., for authority to deviate from Certified Weight requirement, lumber hauling, Sacramento Valley Moulding, Inc., under statutory provision in Item 682, MRF No. 2. }

Application No. 52538 (Filed April 8, 1971)

Application of C.A.T., INC., dba Nevada C.A.T., Inc., for authority to deviate from Minimum Rate Tariff No. 2, lumber hauling, Sacramento Valley Moulding, Inc., under statutory provision in Item 690, MRF No. 2. }

Application No. 52543 (Filed April 9, 1971)

Carl F. Armanino, for applicant.
A. D. Poe, Attorney at Law, J. C. Kaspar
and H. F. Kollmyer, for California
Trucking Association, interested party.
John F. Specht, for the Commission staff.

O P I N I O N

Applicant operates as a highway permit carrier. By Application No. 52538, authority is sought to deviate from the requirement of securing certified weights on certain shipments of lumber. Application No. 52543 seeks authority to charge a rate less than the minimum rate.

Public hearing was held at Sacramento on June 24, 1971, before Examiner Turpen. At the start of the hearing, applicant asked that Application No. 52543 be dismissed.

Applicant transports lumber for Sacramento Valley Moulding, Inc. On shipments from Burney, Potosa, McCloud, Truckee, Greenville and Grey's Flat areas to Grey's Flat and Crescent Mills,

certified scales are not available. Applicant here seeks authority to deviate from the provisions of Item 682 of Minimum Rate Tariff 2 requiring certified weights, and proposes to charge at the minimum weight of 50,000 pounds per load. Applicant's president testified that this lumber is used for moulding and is extremely dry. He said that of the loads he has been able to have weighed, 90 percent were well under 50,000 pounds. He further stated that usually he is unable to determine the board footage of a shipment.

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 applicant's proposal of charging each shipment at 50,000 pounds 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.

O R D E R

IT IS ORDERED that:

1. Application No. 52543 is dismissed.
2. C.A.T., Inc., is authorized to deviate from the requirement in Item 682 of Minimum Rate Tariff 2 of obtaining certified weighmaster certificates on shipments of lumber for Sacramento Valley Moulding, Inc., from the Burney, Pongosa, McCloud, Truckee, Greenville and Grey's Flat areas to Grey's Flat and Crescent Mills, and in lieu thereof shall use a weight of 50,000 pounds for each load.
3. The authority granted herein shall expire one year after the effective date of this order.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 31st day of AUGUST, 1971.

J. B. ...
Chairman

William ...

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Commissioners