

Decision No. 79245

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Hawkey Transportation, )  
Inc., for authority to depart from )  
the minimum rates, rules and regula- )  
tions of Minimum Rate Tariff No. 2, )  
pursuant to the provisions of Section )  
3666 of the Public Utilities Code, )  
for the transportation of strawberry )  
plants. )

Application No. 52914  
(Filed October 7, 1971)

INTERIM OPINION AND ORDER

By this application, Hawkey Transportation, Inc., seeks authority under its highway contract carrier permit to assess rates less and different than the established minimum rates for the transportation of rooted strawberry plants, in sacks, for the California Strawberry Nurserymen's Association from fields in Shasta and Tehama Counties to Dersch Road and Figtree Lane near Anderson, Red Bluff, Redding, Los Molinos, Salmon Creek, Yuba City and Watsonville.

Applicant declares that the need for the sought rate deviation is urgent as the strawberry plants are harvested each year between October 8 and 10, varying to a limited extent depending upon the weather and that most of the harvesting is completed by November 15. Applicant alleges that the timing is critical because the plants must be dug from the fields in a semi-dormant condition and must be sold and immediately planted generally prior to November 15. Applicant states that each shipment will weigh between 17,000 and 45,000 pounds and that the weights of shipments vary depending upon the condition of the ground from which the plants are harvested. Applicant avers that, if

the ground is wet or frozen, a large amount of dirt will adhere to the plants resulting in heavy loads whereas, if the ground is dry, less dirt will cling to the plants and the loads will be lighter. Applicant contends that the loads consist of 80 percent waste materials and 20 percent finished, trimmed plants.

Applicant alleges that it will do no loading or unloading; that, for approximately one-half of the shipments, trailers will be delivered to the points of origin where they will be loaded by field crews; and that its driver will drop an empty trailer when the loaded unit is picked up following such shuttle procedure until the hauling from an origin is completed. Applicant states that, for the other one-half of the shipments, the tractor-trailer units will wait at origins until loaded by field crews; that no extra trailers will be used; and that the unloading at destinations will be performed by the workers at the packing houses and trimming sheds.

Applicant contends that it has been providing this service over the past twelve years and that no claims have been made for lost or damaged shipments. Applicant asserts that the proposed rates will provide for exclusive use, point to point transportation and will afford it a profit of approximately 10 percent.

Data submitted by applicant indicate that the proposed rates will be compensatory for the transportation involved.

The verified application shows that a copy thereof was mailed to California Trucking Association on or about October 6, 1971. The application was listed on the Commission's Daily Calendar of October 8, 1971. No objection to the granting of the application has been received.

The Transportation Division staff has reviewed the application and recommends that it be granted by ex parte order

on an interim basis pending decision on evidence to be adduced at a public hearing.

Subject to further review upon consideration of the 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.

IT IS ORDERED that:

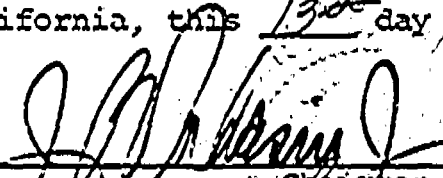
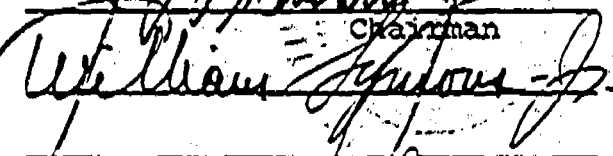
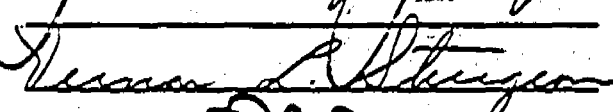

1. Hawkey Transportation, Inc. is authorized to transport strawberry plants, in sacks, at rates less and different than the established minimum rates but not less than those set forth, and subject to the conditions specified in Appendix A attached hereto and by this reference made a part hereof.

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 13<sup>th</sup> day of October, 1971.

  
Chairman  
  
  
  
Commissioners

## APPENDIX A

Hawkey Transportation, Inc., is authorized to transport strawberry plants, in sacks, from fields to packing houses and trimming sheds at the point-to-point rates hereinafter set forth. Other than as authorized herein, the rates and rules in Minimum Rate Tariff No. 2 will be applicable to the involved transportation.

<u>Origin</u>	<u>Destination</u>	<u>Rate Per Shipment</u>
McArthur	Watsonville	\$ 390.00
McArthur	Yuba City	213.00
McArthur	Los Molinos	153.00
McArthur	Red Bluff	141.00
McArthur	Dersch Road	116.00
McArthur	Fig Tree Lane	123.00
McArthur	Redding	117.00
McArthur	Salmon Creek	117.00
Gover Ranch	Watsonville	325.00
Anderson	Watsonville	317.00
Red Bluff	Watsonville	305.00
Jones Valley	Yuba City	140.00

- (1) Rates do not include loading or unloading by carrier's employees.
- (2) For delay to equipment at place of pickup or delivery which exceeds one hour, charges shall be assessed as prescribed in Items 142 and 145 of Minimum Rate Tariff No. 2.
- (3) Shipper shall have exclusive use of equipment while transportation is being performed under the above rates.

(4) The service shall be provided for the following shippers:

1. Shasta Nursery	Redding
2. Hi-Lo Nursery	Redding
3. Shasta Canyon Nursery	Anderson
4. Lassen Canyon Nursery	Redding
5. Hi-Sierra Nursery	Red Bluff
6. Nor-Cal Nursery	Redding and Los Molinos
7. Driscoll Strawberry Associates	Watsonville
8. Roscoe Nursery	Anderson

(END OF APPENDIX A)