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Decision No. 80577

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
HAWKEY TRANSPORTATION, INC. for
authority to depart from the minimum
rates, rules and regulations 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. 53536
(Filed August 21, 1972)

Handler, Baker & Greene, by Daniel W. Baker,
Attorney at Law, for applicant.
Arthur D. Maruna, Herbert W. Hughes, and Arlo D.
Poe, Attorney at Law, for California Trucking
Association, interested party.
B. I. Shoda, for the Commission staff.

O P I N I O N

Hawkey Transportation, Inc., seeks authority as a highway permit carrier 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, Turlock, Yuba City and Watsonville.

A duly noticed public hearing was held and the matter submitted before Examiner Mallory at San Francisco on September 25, 1972. Evidence was presented by applicant's president and by a certified public accountant employed by applicant. No one opposed the granting of the application.

The record shows that applicant has engaged in the transportation of strawberry plants from fields to trimming sheds for several years. During the last harvest season the transportation was performed under a rate deviation authorized by Decision No. 79245, dated October 13, 1971, in Application No. 52914. Said transportation assertedly was profitable.

The testimony of applicant's president is summarized in the following statements:

The strawberry plants are harvested each year commencing between October 3 and 10, varying to a limited extent depending upon the weather; most of the harvesting is completed by November 15. The timing is critical because the plants must be dug from the fields in a semi-dormant condition immediately following the first frost. Shipments weigh between 17,000 and 45,000 pounds. The weights of shipments vary depending upon the condition of the ground from which the plants are harvested. Loads consist of approximately 80 percent waste materials and 20 percent finished, trimmed plants.

Applicant does no loading or unloading. For approximately three-fourths of the shipments, trailers are delivered to the points of origin where they are loaded by field crews; the driver drops an empty trailer when the loaded unit is picked up; such shuttle procedure is followed until the hauling from an origin is completed. For the other one-quarter of the shipments, the tractor-trailer units wait at origins until loaded by field crews, and no extra trailers are used. The unloading at destinations is performed by the workers at the packing houses and trimming sheds. Loading and unloading time in excess of one hour is subject to an accessorial charge. The proposed rates provide for exclusive use of the equipment while it is in the service of the California Strawberry Nurserymen's Association.

A certified public accountant presented a study of the costs of performing the proposed service. The data developed by the accountant shows that the proposed rates will exceed the estimated full costs of performing the service by various amounts for each origin and destination, resulting in estimated operating ratios of 87.6 to 92.6 percent, and averaging about 90.0 percent.

The Commission finds that the proposed rates will be compensatory and that said rates will be reasonable. The application will be granted. The authority will be limited to a period of one year. This order will be made effective immediately as the transportation service is scheduled to commence.

O R D E R

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 one year after the effective date of this order unless sooner canceled, modified or extended by order of the Commission.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 3rd day of OCTOBER, 1972.

Vernon L. Stinson
President
William Simon-H.
[Signature]
[Signature]
Commissioners

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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 the Commission's Minimum Rate Tariff 2 will be applicable to the involved transportation.

<u>Origin</u>	<u>Destination</u>	<u>Rate Per Load</u>
McArthur	Watsonville	\$402.00
McArthur	Yuba City	225.00
McArthur	Los Molinos	155.00
McArthur	Red Bluff	145.00
McArthur	Dersch Road	122.00
McArthur	Fig Tree Lane	127.00
McArthur	Redding	121.00
McArthur	Salmon Creek	121.00
McArthur	Turlock	360.00
Anderson	Watsonville	325.00
Red Bluff	Watsonville	315.00
Jones Valley	Yuba City	170.00

- (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 2.
- (3) Shipper shall have exclusive use of equipment while transportation is being performed under the above rates.

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

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| 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 |