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ORIGINAL

Decision No. 81700

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION)
OF TED PETERS TRUCKING COMPANY, INC.)
under the Shortened Procedure Tariff)
Docket, to make increases in rates)
in its Local Freight Tariff No. 1,)
Cal.P.U.C. No. 2 as set forth in)
this Application)

and)

For authority to depart from the)
terms of Section 454 and 460 of)
the Public Utilities Code in)
accomplishing the proposed pub-)
lication.)

Shortened Procedure
Tariff Docket
Application No. 53956
(Filed April 12, 1973)

OPINION AND ORDER

By this application, Ted Peters Trucking Company, Inc., seeks authority to cancel certain commodity rates in its Local Freight Tariff No. 1, Cal.P.U.C. No. 2.¹ Upon cancellation of the rates, as proposed, higher commodity or class rates would apply.

Applicant states that it has reviewed its tariff and has determined that, under the rates proposed to be canceled, there has generally been very little movement and, in the few instances where there have been movements, the involved shipments were transported under noncompensatory rail-competitive rates. Applicant contends that the proposed cancellation of such rail-competitive rates would provide some measure of protection against traffic producing operating losses.

Applicant asserts that increases resulting from the proposal herein would not increase its California intrastate gross revenue by as much as one percent.

¹ The rates, which apply on various commodities from and to various points, are set forth in detail in the application.

Copies of the application were mailed to Hershey Foods, Carnation Company, Lever Bros., Procter & Gamble Company, California Trucking Association, and chambers of commerce at San Francisco, Oakland and Los Angeles. The application was listed on the Commission's Daily Calendar of April 13, 1973. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that applicant's proposal is reasonable and justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

Pursuant to paragraph (E) (2) (e) of Rule 23.1 of the Commission's Rules of Practice and Procedure, no findings regarding compliance with the Federal Economic Stabilization Act are required for Shortened Procedure Tariff Docket filings seeking carrier rate adjustments under Rule 25 thereof.

IT IS ORDERED that:

1. Ted Peters Trucking Company, Inc., is hereby authorized to cancel rates in its Local Freight Tariff No. 1, Cal.P.U.C. No. 2, as specifically proposed in the application.

2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than August 13, 1973 on not less than one day's notice to the Commission and to the public.

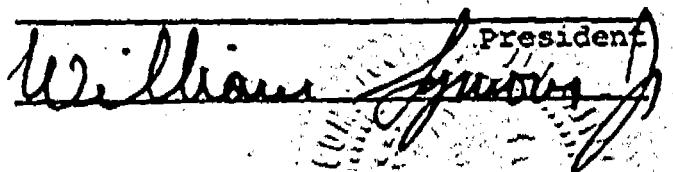


3. Ted Peters Trucking Company, Inc., is hereby authorized to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code to the extent necessary to exercise the authority granted herein. Schedules containing the rates published under this authority shall make reference to this order.

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4. The authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

This order is effective on the date hereof.

Dated at San Francisco, California, this 31st day of July, 1973.


President


Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.