

Decision No. 84081

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investi- )  
gation into the rates, rules, )  
regulations, charges, allowances )  
and practices of all common )  
carriers, highway carriers and )  
city carriers relating to the )  
transportation of any and all )  
commodities between and within )  
all points and places in the )  
State of California (including, )  
but not limited to, transpor- )  
tation for which rates are )  
provided in Minimum Rate Tariff )  
No. 2).

Case No. 5432  
Petition for Modification  
No. 836  
(Filed January 7, 1975)

OPINION AND ORDER

By Decision No. 82519 in Petition for Modification No. 784 in Case No. 5432, Boyd Trucking Co., a corporation, was authorized to publish and file a rate of 38 cents per 100 pounds, minimum weight 90,000 pounds per shipment for the transportation of incense cedar pencil stock from Anderson (Shasta County), including all points within the railhead limits of Anderson, to San Leandro, subject to certain conditions therein set forth. The published rate and authority are scheduled to expire with February 28, 1975.

By this petition, authority is sought to continue to publish a rate less than the established minimum rate for the aforementioned transportation and to modify the authority by increasing the rate to 42 cents.

Petitioner states that the proposed adjustment in the rate is necessary to offset increases in operating costs which it has experienced. Petitioner alleges that, unless the sought relief is granted, the threat of proprietary operations still prevails and the revenue derived from this transportation represents a significant part of its gross revenues and is essential to its business.

In the circumstances, the Commission finds that the proposed rate is reasonable and justified by transportation conditions. A public hearing is not necessary. The Commission concludes that the petition should be granted.

IT IS ORDERED that:

1. Boyd Trucking Co., a corporation, is hereby authorized to publish and file, to expire with February 28, 1976, a rate of 42 cents per 100 pounds, minimum weight 90,000 pounds per shipment for the transportation of incense cedar pencil stock from Anderson (Shasta County), including all points within the railhead limits of Anderson, to San Leandro, and further subject to the following conditions:

- (a) The lumber shall be prepared for shipment by the consignor.
- (b) The lumber shall move in units consisting of approximately 5,840 pounds each and approximately 8 units shall be loaded on each truck. Two trucks, each hauling approximately 8 units, shall be loaded at the consignor's Anderson yard and shall move together to San Leandro where unloading shall be effected. The operation shall be conducted on a continuous 24-hour basis and in excess of 225 days a year.
- (c) Loading of the lumber at Anderson and unloading at San Leandro shall be performed by consignor and consignee, respectively, with forklift trucks supplied by, and operated by employees of consignor and consignee.

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 one day after the effective date hereof on not less than one day's notice to the Commission and the public.

3. Boyd Trucking Co., in establishing and maintaining the rate authorized hereinabove, 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 rate published under this authority shall make reference to this order.

The effective date of this order shall be February 24, 1975.

Dated at San Francisco, California, this 11<sup>th</sup> day of February, 1975.

Vernon L. Sturgeon  
President  
William J. Gonsky  
Donald Ross  
Commissioners