

ORIGINALDecision No. 47215

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
 into the rates, rules, regulations,)
 charges, allowances and practices) Case No. 4808
 of all common carriers, highway)
 carriers and city carriers relating)
 to the transportation of property.)

SUPPLEMENTAL OPINION AND ORDER

Alma Mae Marsh, doing business as Felix Marsh Transfer, holds a highway contract carrier permit. By petition filed May 19, 1952, she seeks authority to assess rates and charges based upon units of measurement different from those in which minimum rates are stated in Highway Carriers' Tariff No. 2 (general commodities) and in Highway Carriers' Tariff No. 11 (uncrated new furniture).¹ The sought authority is proposed to be limited to the delivery of uncrated new furniture from retail stores to their customers, and to the transportation of equipment and supplies for Pacific Telephone and Telegraph Company.

The transportation from retail stores of uncrated new furniture is specifically exempted in Item No. 40-V of Tariff No. 2 and Item No. 40 of Tariff No. 11. Therefore, petitioner requires no further authority in this regard.

With respect to the transportation of equipment and supplies for the telephone company, petitioner desires to assess the rates per hour or per piece named in City Carriers' Tariff No. 3-A - Highway Carriers' Tariff No. 4-A (used household goods) in lieu of the minimum rates in cents per 100 pounds named in Tariff No. 2.

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The operation of Tariff No. 11 was suspended until further order of the Commission by Decision No. 46160 of September 4, 1951.

She states that, unlike ordinary freight service, the transportation in question involves various accessorial services at the points of origin and destination in addition to loading and unloading; that frequently additional men are required for loading and unloading supplies and for installing equipment; and that weighing shipments under the weight rate basis imposes an unnecessary burden because it requires an extra trip from the point of origin to the scales, a distance of more than two miles through heavy traffic. Petitioner claims that, in these circumstances, hourly or piece rates provide the only realistic bases of assessing proper charges. The charges under the proposed rates assertedly would be not less than those which would be produced by the rates in Tariff No. 2.

It appears that the operation involved is a specialized one and that it is conducted under conditions substantially different from those surrounding transportation generally under the minimum rates, rules and regulations in Tariff No. 2. In the circumstances, the petition will be granted in connection with the transportation and accessorial service performed for the telephone company. A public hearing is not necessary.

Because the conditions under which the service in question is performed may change at any time, the authority will be limited to a one-year period.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Alma Mae Marsh, doing business as Felix Marsh Transfer, be and she is hereby authorized to quote and/or assess rates and charges in the units of measurement used in Items Nos. 400-A and 410 of City Carriers' Tariff No. 3-A - Highway Carriers' Tariff No. 4-A, and no lower than the rates and charges named in these items, in lieu of rates and charges in the units of measurement and conforming with the minimum bases set forth in

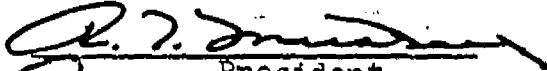
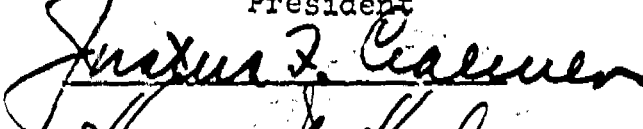

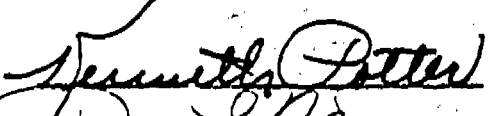
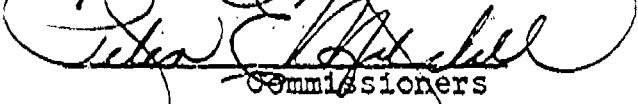
Highway Carriers' Tariff No. 2; and that this authority is restricted to the transportation of equipment and supplies for Pacific Telephone and Telegraph Company.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire one (1) year after the effective date of this order unless sooner canceled, changed or extended by order of the Commission.

IT IS HEREBY FURTHER ORDERED that in all other respects the petition of Alma Mae Marsh, doing business as Felix Marsh Transfer, filed May 19, 1952, in this proceeding, be and it is hereby denied.

This order shall become effective twenty (20) days after the date hereof.

Dated at Los Angeles, California, this 5th day of June, 1952.


President




Commissioners