

ORIGINAL

Decision No. 47592

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
C. R. BECKER, doing business as)
DELIVERY SERVICE COMPANY, for certificate)
of public convenience and necessity to)
operate an Inter-City Auto Pickup and)
Delivery Service for the Transportation)
of Parcels and Packages as a common)
carrier in the Wholesale Classification)
within Fifty (50) Air Miles of his)
Terminal to Municipalities within the)
counties of Solano, Contra Costa, and)
portions of Alameda County outside of)
East Bay Cities covered by his present)
common carrier certificate granted by)
Decision No. 28691, rendered April 16,)
1936.)

First Supplemental
Application No. 31832

O P I N I O N

Applicant alleges that restriction numbered 6 proposed by applicant and appearing in ordering paragraph (2) of Decision No. 47358 dated June 24, 1952 in Application No. 31832 is in conflict with other restrictions contained in said paragraph. Said restriction number 6 was agreed to by the highway common carriers operating in the area to which the operating rights granted by said decision applied. Highway Transport Express, Kellogg Express & Draying Co., Railway Express Agency, Inc., Delta Lines, Inc., Inter-Urban Express Corporation, Circle Freight Lines and Pacific Motor Trucking Company, the highway common carriers who had agreed to the wording contained in said restriction number 6 have now stipulated that the language thereof may be changed so as to eliminate such conflict.

The Commission finds that such modification of the provisions of said restriction number 6 should be made as requested. Applicant also having on August 11, 1952 requested in writing an extension of sixty days in the time within which he must file his appropriate tariffs and timetables and establish his proposed service, and the Commission being of the opinion that such extension

of time should be granted because of the additional time necessitated by the change in restrictions heretofore herein referred to, said request will be granted by amending service regulation (b) appearing in ordering paragraph 3 of said Decision 47358. A public hearing is unnecessary.

O R D E R

Applications therefor having been filed, the Commission being advised in the premises and finding that the applicant's requests should be granted,

IT IS ORDERED as follows:

(1) That Decision No. 47358 dated June 24, 1952 in Application No. 31832 as amended be, and it hereby is, amended by changing the language of restriction numbered 6 of ordering paragraph (2) thereof appearing on sheets 9 and 10 so that it provides as follows:

"6. Each shipment or carriage of freight or merchandise from one consignor to one consignee, to an individual point of destination, consisting of one or more packages or parcels which in the aggregate weigh one hundred (100) pounds or more, shall be transported between the points embraced within this certificate at rates and charges not less than either the any-quantity, first-class rate at actual weight or the minimum charge per shipment, whichever is the highest, concurrently published as minimum rates or charges in Highway Carriers' Tariff No. 2 and as amended for freight or merchandise not exempt from prescribed minimum rates in California Public Utilities Commission Highway Carriers' Tariff No. 2, as now or hereafter amended, regardless of whether or not either one or more or all of the articles contained in a shipment are exempt as set forth in Items 40 and 41 series in California Public Utilities Commission Highway Carriers' Tariff No. 2, and as amended, from prescribed minimum rates."

(2) That the time limit for compliance with service regulation (b) of ordering paragraph (3) of said Decision No. 47358 is extended to and including October 13, 1952.

In all other respects and as hereby modified said Decision No. 47359 shall be and remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 19th day of August, 1952.

A. J. [Signature]
PRESIDENT
Justice F. [Signature]
Harold [Signature]
Edw. E. [Signature]

COMMISSIONERS

Commissioner Kenneth Potter being necessarily absent, did not participate in the disposition of this matter.