

ORIGINAL

Decision No. 52201

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of GARDNER P. POND, JR.)	}	Application No. 35112 (First Supplemental)
for authority to depart from rates,)		
rules and regulations of Highway)		
Carriers' Tariff No. 2.)		

FIRST SUPPLEMENTAL OPINION AND ORDER

Applicant holds a highway contract carrier permit. He transports utility poles for the J. H. Baxter Company from the shipper's supply yard at Long Beach to Southern California Edison Company's inventory yards or to job sites in Southern California. By Decision No. 50673 of October 19, 1954, in this proceeding, applicant was authorized, under Section 3666 of the Public Utilities Code, to deviate from the minimum rates otherwise applicable to this transportation. For transportation to the inventory yards, applicant is authorized to assess charges on a per-pole basis according to the class and length of each pole. For transportation to the job sites, applicant is authorized to assess specified rates in cents per 100 pounds without additional charge for split-delivery service. The authority is scheduled to expire November 9, 1955. Extension of the authority for a further one-year period is now sought.

The supplemental application states that the conditions which justified deviation from the minimum rates still obtain, and that continued relief is necessary in order that applicant may continue efficiently to serve the shipper. However, the original authority was granted upon a showing that the proposed rates were in a form convenient to the shipper and carrier, and that charges under the proposed rates would equal or exceed the applicable minimum rates. Since that date, because of wage increases, the


minimum rates have been increased by 5 percent. The supplemental application does not show the relationship between the authorized rates and the current minimum rates. In the absence of such a showing the allegations are not fully persuasive that the sought extension of authority should be granted. Continuation of the present deviation for a ninety-day period will be authorized in order to allow applicant additional time to offer further justification in support of the sought extension. To prevent a lapse of applicant's authority, the order will be made effective November 9, 1955.


Therefore, good cause appearing,

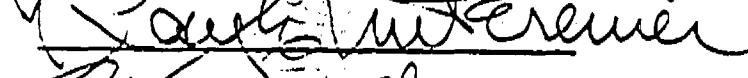
IT IS HEREBY ORDERED that the expiration date of the authority granted to Gardner P. Pond, Jr., by Decision No. 50673 of October 19, 1954, in this proceeding, be and it is hereby extended to February 7, 1956, unless sooner changed or further extended by order of the Commission.

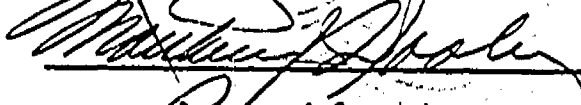
This order shall become effective on November 9, 1955.


Dated at San Francisco, California, this 7th day of November, 1955.



President








Commissioners