

Decision No. 52731

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

Application No. 35112
Second Supplemental
as amended

SECOND SUPPLEMENTAL OPINION AND ORDER

Prior orders in this proceeding have authorized Gardner P. Pond, Jr., to deviate from the provisions of Minimum Rate Tariff No. 2 in connection with transportation of utility poles which he performs for the J. H. Baxter Company from that company's supply yard at Long Beach to job sites and inventory yards of Southern California Edison Company. For transportation to the job sites he was authorized to assess specified rates in cents per 100 pounds which include allowance for stringing service performed in connection with those deliveries. For transportation to the inventory yards he was authorized to assess charges on a per-pole basis, according to the class and length of each pole. This authority expired with February 6, 1956. Applicant now seeks its reinstatement with certain modifications and its extension to and including February 7, 1957.

The verified second supplemental application in this matter states that the conditions which justified deviation from the minimum rate provisions still obtain and that continued relief is necessary in order that applicant may serve the shippers efficiently.

Parties believed to be interested in the matter have been notified of the filing of this second supplemental application. No objection to granting of the sought authority has been received.

Applicant's request herein is primarily for authority to deviate from the form of the minimum rates. It appears that the proposed rates themselves would result in charges which would be the same as or greater than those under the minimum rates. In the circumstances under which the transportation is performed it is concluded and found that granting of the sought authority is justified and that the proposed rates are reasonable. The application will be granted subject to the same conditions and requirements which applied heretofore. Inasmuch as the authority under the prior orders in this proceeding has expired, the order herein will be made effective on the date hereof.

A public hearing in the matter is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Gardner P. Pond, Jr., be, and he hereby is, authorized to quote and assess rates or accessorial charges as set out in Appendix "A" to this second supplemental application for inventory yard shipments, and as set out in amended Appendix "B" of this supplemental application, as amended, for field deliveries.

IT IS HEREBY FURTHER ORDERED that applicant shall retain and preserve copies of his freight bills, subject to the Commission's inspection, for a period of not less than three years from the dates of issuance thereof, and that each copy shall have attached thereto a statement of the charges which would have been assessed if the minimum rates had been applied, and the full information necessary for accurate determination of the charges under the minimum rates.

IT IS HEREBY FURTHER ORDERED that the order herein applies only to transportation and accessorial and incidental services performed by Gardner P. Pond, Jr., for J. H. Baxter Company, and is limited to utility poles delivered for J. H. Baxter Company from Long Beach to inventory yards or job sites of Southern California Edison Company.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire with February 7, 1957, unless sooner canceled, changed or extended by order of this Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 6th day of March, 1956.

John E. McCall
President
Justin J. Caswell
Ralph W. Vetterline
Wm. J. Drally
B. Hardy
Commissioners