

ORIGINALDecision No. 52989

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 of all common
 carriers, highway carriers and city
 carriers, relating to the transportation
 of property in the City and County of
 San Francisco and the Counties of Alameda,
 Contra Costa, Marin, Monterey, Napa, Santa
 Clara, Santa Cruz, San Benito, San Mateo,
 Solano and Sonoma.

Case No. 5441

ORDER DENYING MOTIONS

This order relates to that phase of Case No. 5441 which involves the question as to whether, and to what extent, revised rates and rules, contained in a single minimum rate tariff, for the transportation of general commodities between points in a specified 12-county area centering on San Francisco Bay should be recommended to meet the needs of commerce, in lieu of the currently applicable rates and rules, as set forth in the San Francisco and East Bay drayage tariffs and Minimum Rate Tariff No. 2.^{1/} Hearings in the matter have been held before Commissioner Dooley and Examiner Bishop over an extended period of time, beginning with April 6, 1955. An adjourned hearing is now scheduled for June 20, 1956.

At the adjourned hearing held in San Francisco on March 22, 1956, two motions were made. In the first of these, counsel for the San Francisco and East Bay draymen's associations requested that the Commission's staff be directed to prepare a cost study on all of

^{1/} The instant phase of Case No. 5441 is covered by the Commission's Order Setting Hearing dated February 15, 1955.

those commodities covered by the San Francisco and East Bay drayage tariffs as to which reductions in classification ratings would result under the staff's alternative classification proposals, or that, in the alternative, the proposal to establish such reduced classification ratings be dismissed. In the second motion counsel for the Oakland Chamber of Commerce moved that the instant phase of Case No. 5441 be dismissed. This was, in effect, a renewal of a motion to dismiss made at the adjourned hearing of September 28, 1955. The Commission denied that motion by its Decision No. 52320, dated December 5, 1955.

After careful consideration of all the arguments advanced in support thereof, the Commission concludes that both of the motions here under consideration should be denied.

At the hearing on March 22, counsel for the draymen's associations indicated that in the event of denial of his motion for a staff cost study it would be necessary for the carriers themselves to undertake such a study. In order to accord the carriers a reasonable period of time within which to complete their cost study the adjourned hearing now scheduled for June 20, 1956 will be canceled and the matter will be reset for adjourned hearing to be held approximately 90 days after the date hereof. It is expected that respondents will be ready to proceed with their evidence at that time.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the motion for a staff cost study and the motion to dismiss that phase of Case No. 5441 embraced by the Commission's Order Setting Hearing dated February 15, 1955, made at the hearing of March 22, 1956, be and they are hereby denied.

Dated at San Francisco, California, this 1st day of May, 1956.

John E. Northell
President

Matthew D. Casman

Paul J. Jutarsen

Markus J. Jutarsen

Commissioners

Commissioner Rex Hardy, being necessarily absent, did not participate in the disposition of this proceeding.