

Decision No. 54473**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

THIRD 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 prior orders in this proceeding, he 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, minimum weight 30,000 pounds, according to the class and length of each pole. For transportation to the job sites, applicant is authorized to assess specified distance rates in cents per 100 pounds plus the 5 percent surcharge applicable to the minimum rates effective August 1, 1955. The authority is scheduled to expire February 7, 1957. By this supplemental application, permission is sought to continue to deviate from the minimum rates for a further one-year period.

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. Applicant states

that the authorized rates for field deliveries to job sites were increased automatically on May 1, 1956, by two percent to coincide with corresponding increases in minimum rates on the same date. Applicant submits with the supplemental application a comparison of charges between the proposed rates for field deliveries and the minimum rates plus the stringing charge. In every case, the resultant charges exceed those that would be applicable under the minimum rates.

In the circumstances it appears, and the Commission finds, that the proposed rates are reasonable. This is a matter in which a public hearing is not necessary. The supplemental application will be granted.

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 third supplemental application for inventory yard shipments, and as set out in Appendix "B" of this supplemental application 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.

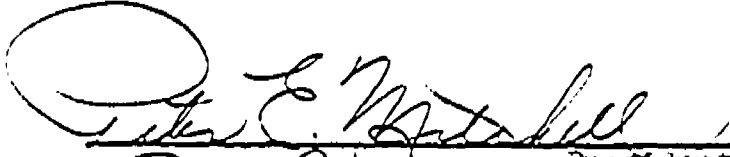
IT IS HEREBY FURTHER ORDERED that the order herein applies only to transportation and accessorial and incidental services performed by Gardner P. Pond, Jr., for J.H. Baxter Company,

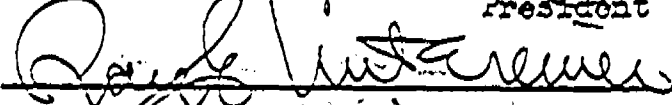
and is limited to utility poles delivered for J.H. Baxter Company from Long Beach to inventory yards or job sites of Southern California Edison Company.


IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire with February 7, 1958, unless sooner canceled, changed or extended by order of this Commission.


This order shall become effective on February 7, 1957.

Dated at San Francisco, California, this 5th day of February, 1957.



President






Commissioners