

**ORIGINAL**

Decision No. 56255

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 ) (Fourth Supplemental)  
Carriers' Tariff No. 2. )

FOURTH SUPPLEMENTAL OPINION AND ORDER

Applicant holds highway contract carrier, radial highway common carrier, and city carrier permits. Among other things, 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 and 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 was 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 was authorized to assess specified distance rates in cents per 100 pounds, plus a 5 percent surcharge.

Inadvertently, applicant failed to make timely request for a continuation of its authority to deviate from the minimum rates. The authorization was allowed to expire on February 7, 1958. On that date, the applicant filed a supplemental application requesting that the authority be reinstated and that applicant be allowed 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 submits with the supplemental application a comparison of charges resulting from the proposed rates for field deliveries with the charges which would accrue under the minimum rates plus the stringing charge. In every case, the charges at the proposed rates 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. In view of the authority having already expired, the order will be made effective immediately.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Gardner P. Pond, Jr., is hereby authorized to quote and assess rates or accessorial charges as set out in Appendix "A" to the fourth supplemental application for inventory yard shipments, and as set out in Appendix "B" to the fourth supplemental application for field deliveries.

(2) 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.


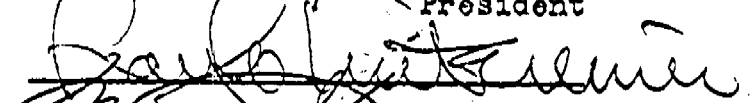
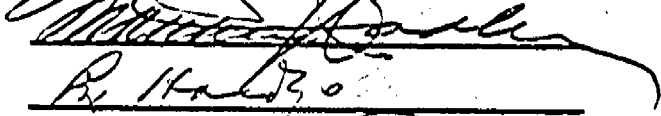
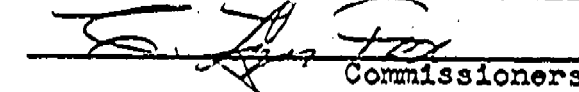
(3) That the order herein applies only to transportation and accessorial and incidental services performed by Gardner P. Pond, Jr., for J. H. Baxter Company, and is limited to utility poles delivered for J. H. Baxter Company from Long Beach to inventory yards or job sites of Southern California Edison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

(4) That any transportation performed by applicant as a common carrier of the same commodities between the same points shall be cause for revocation of the authority herein granted.

(5) That the authority herein granted shall expire with February 18, 1959, 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 18th day of February, 1958.

  
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President  
  
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R. H. B. O.  
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Commissioners