

Decision No. 58363

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of BELYEA)
 TRUCK CO., a corporation, for authority to)
 depart from the rates, rules and regula-)
 tions of Minimum Rate Tariff No. 2 and) Application No. 41012
 Minimum Rate Tariff No. 5, under the pro-)
 visions of the Highway Carriers' Act and)
 the City Carriers' Act.)

OPINION AND ORDER

Applicant holds radial highway common carrier, highway contract carrier and city carrier permits. Applicant also holds a certificate as a highway common carrier and petroleum irregular route carrier to transport petroleum products in tank vehicles between various points. Prior orders in Application No. 38999 authorized it to quote rates and assess charges on the basis of units of measurement differing from those in which the minimum rates are stated, subject to certain conditions. The authority is limited to the transportation of mining and contractors' equipment, boats, airplanes and commodities which, by reason of size or weight, require special equipment or handling, including incidental materials, equipment or supplies transported as a part of the same shipment. The authority is scheduled to expire June 11, 1959. By this application, permission is sought to continue to deviate from the minimum rates for a further period of not less than one year.

Applicant states that there have been no material changes in its operations involved in this application during the past year, and that the conditions which justified the present authority still exist. Applicant declares that the highly specialized nature of the traffic it handles and the requirements of its shippers make it impracticable to follow the form of the outstanding minimum rates and charges from a quotation standpoint. Assertedly, at no time will charges assessed be less than those which would result under the minimum rate tariffs here involved.

In the circumstances, it appears, and the Commission finds, that the proposed basis of charges is reasonable and consistent with the public interest. The application will be granted. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Belyea Truck Co., a corporation, is hereby authorized to quote or assess rates or accessorial charges based upon a unit of measurement different from that in which the minimum rates and charges in Minimum Rate Tariffs Nos. 2 and 5 are stated.

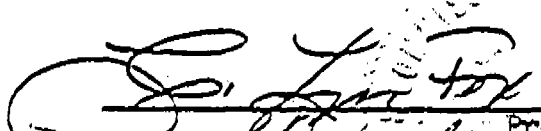
(2) That the authority herein granted is restricted to the transportation of mining and contractors' equipment, boats, airplanes, and commodities which, by reason of size or weight, require special equipment or handling, including incidental materials, equipment or supplies transported as part of the same shipment.

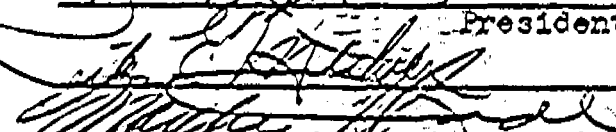
(3) That the authority herein granted shall expire June 11, 1960, unless sooner canceled, changed or extended by order of the Commission.

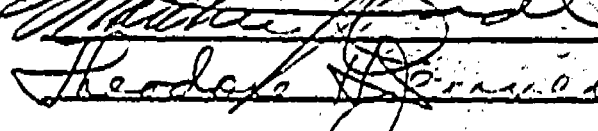
(4) That applicant shall retain and preserve copies of its freight bills, subject to the Commission's inspection, for a period of not less than three years from the dates of issuance thereof; and that each copy of its freight bills shall have attached thereto a statement of the charges which would have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

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 5th day of May, 1959.



President




Commissioners