

ORIGINALDecision No. 59110

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 JOSEPH EDGAR CURTIN, doing business
 as JOE CURTIN'S SPECIAL DELIVERY
 MESSENGER SERVICE, for authority to
 depart from the rates, rules and
 regulations of Minimum Rate Tariff
 No. 2.

Application No. 41391

OPINION AND ORDER

By this application, Joseph Edgar Curtin, doing business as Joe Curtin's Special Delivery Messenger Service, seeks authority, under Section 3666 of the Public Utilities Code, to assess rates lower than those established as minimum in Minimum Rate Tariff No. 2.

Applicant transports developed and undeveloped color film and prints for Eastman Kodak Company, San Francisco, from and to dealers located in Marin County and at points north thereof in Sonoma County as far as Santa Rosa. According to the application, he picks up shipments of developed film and prints from Eastman Kodak Company in San Francisco and delivers the shipments to 23 dealers in the area above described. At the time of delivery, he picks up shipments of exposed film that are ready for movement to Eastman Kodak Company for development. Daily calls are made at all the dealers whether or not deliveries are to be made so that exposed film can be picked up. When calls for the day are completed, the various pickups are packed in one box and taken to Western Greyhound Lines' depot at San Rafael for shipment to Eastman Kodak Company at San Francisco. Applicant states that the shipment to and from each dealer is packed in a plastic bag and that each shipment weighs up to 5 pounds, but generally less than 2 pounds.

Under the provisions of Minimum Rate Tariff No. 2, each shipment from or to a dealer would be subject to a minimum charge of \$1.60, and freight bills would have to be presented within 7 days and paid for within another 7 days.

Applicant seeks authority to be paid monthly on the basis of 80 cents per daily call. Applicant states that this service is coordinated with its other services in the area and thus can be conducted profitably at the proposed rates. Furthermore, according to the application, the charge made by Eastman Kodak Company to its dealers for the developing of color film will not permit absorption of transportation costs in excess of 80 cents for the two-way movement, and that if higher transportation charges are required, applicant's services would be discontinued and the shipments would be made by parcel post.

Copies of the application have been served on competing carriers. No objection to the granting of the application has been received.

In the circumstances it appears that the rates in Minimum Rate Tariff No. 2 are not designed for this particular service. It appears, and the Commission so finds, that the charges and method of payment proposed by applicant are reasonable. The application will be granted. A public hearing is not necessary. Because the conditions under which the service is performed may change at any time, the authority will be made to expire at the end of one year, unless sooner canceled, changed or extended by order of the Commission.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Joseph Edgar Curtin, doing business as Joe Curtin's Special Delivery Messenger Service, be and he is hereby authorized

to transport color film and prints for Eastman Kodak Company, San Francisco, to and from dealers located in Marin County and points north thereof in Sonoma County as far as Santa Rosa, at rates and charges less than the minimum rates, but not less than 80 cents per dealer call per day, such charges to be billed and paid on a monthly basis; and to deviate from the requirements of Item No. 255 of Minimum Rate Tariff No. 2 with respect to issuance of shipping documents.

(2) That the authority hereinabove granted shall expire one year after the effective date of this order unless sooner canceled, changed or extended by order of the Commission.

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

Dated at San Francisco, California, this 6th day of October, 1959.

[Signature] President
[Signature]
[Signature]
[Signature]
Commissioners