

**ORIGINAL**Decision No. 60474

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Earl )  
 L. Wilson, Gertrude E. Wilson, William J. )  
 Wilson, and Madoline L. Wilson, copartners )  
 doing business under the firm name and )  
 style of PONY EXPRESS FAST FREIGHT, to ) Application No. 42342  
 charge less than the minimum rates estab- )  
 lished by the California Public Utilities )  
 Commission as authorized in Section 3666 )  
 of the Public Utilities Code of the State )  
 of California. )

OPINION AND ORDER

Applicants hold radial highway common, highway contract and city carrier permits. By Decision No. 58813, dated July 28, 1960, in Application No. 41222, they were authorized as a highway contract carrier, under Section 3666 of the Public Utilities Code, to deviate from the established minimum rates by observing a second-class rating for the transportation of automobile parts and accessories in lieu of the actual classification on each article for General Motors Corporation, General Motors Parts Division, from that company's Van Nuys warehouse to points in southern California. The rates applicants are authorized to assess are the second-class rates set forth in Minimum Rate Tariff No. 2.

The authority is scheduled to expire September 12, 1960. By this application, filed June 10, 1960, authority is sought to continue the deviation from the minimum rates after that date.

The application shows that on or about May 31, 1960, a copy was served on California Trucking Associations, Inc. No objection has been received to its being granted.

According to the application, important economies in time and effort in rating and billing have been effected, and the revenues returned under the rates assessed pursuant to the current authority have equaled or exceeded the revenues which would have been realized had the shipments been classified. Applicants state that two studies made in May, 1960, show that greater over-all revenue accrued under the authorized second-class rating than would have accrued under the actual classification ratings.

In the circumstances it appears, and the Commission finds, that the proposed basis of rating and charges is reasonable. A public hearing is not necessary. The application will be granted. However, as the conditions surrounding the transportation may change, the extension will be limited to one year unless sooner canceled, changed or extended by order of the Commission.

By Decision No. 57280, dated September 2, 1958, in Application No. 37146 (Third Supplemental), applicants' radial highway common carrier permit was restricted to exclude the transportation of the same commodities between the same points as those here involved. This restriction was necessitated by the provision of Section 3542 of the Public Utilities Code. The code provision was amended in September, 1959, obviating the need for the permit restriction. The restriction will be eliminated.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Earl L. Wilson, Gertrude E. Wilson, William J. Wilson and Madoline L. Wilson, copartners doing business under the firm name and style of Pony Express Fast Freight, are hereby authorized to assess a second-class rating in lieu of the classification ratings otherwise applicable, at rates not less than those set forth in Minimum Rate Tariff No. 2, for the transportation of automobile parts and accessories from the General Motors Corporation, General Motors Parts Division warehouse in Van Nuys to points in southern California.

(2) That the limitation placed against the radial highway common carrier permit held by Earl L. Wilson, Gertrude E. Wilson, William J. Wilson and Madoline L. Wilson, copartners doing business as Pony Express Fast Freight, by Decision No. 57280, dated September 2, 1958, in Application No. 37146 (Third Supplemental), which excluded the transportation thereunder of the same commodities between the same points as are involved herein, is hereby removed.

(3) That the authority herein granted shall expire September 12, 1961, 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 2 day of August, 1960.

Grell H. Bay  
 President  
 J. E. L. L. L.  
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 J. E. L. L. L.  
 Theodore H. J. J.  
 Commissioners