

Decision No. 61097

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)
ROZAY'S TRANSFER, a corporation, for)
authority to deviate from the mini-) Application No. 42751
mum rates pursuant to Section 4015)
of the Public Utilities Code.)

OPINION AND ORDER

Applicant holds radial highway common carrier, highway contract carrier and city carrier permits. It also holds a certificate to operate as a highway common carrier between points not involved in this proceeding. Decision No. 59304, dated November 24, 1959, as amended by Decision No. 60231, dated June 6, 1960, in Application No. 40755, as amended, authorized it to depart from the provisions of Item No. 165 of Minimum Rate Tariff No. 5 for the services of unloading property tendered in pool cars for Burlington Industries, Inc., of Los Angeles. The authority is scheduled to expire December 14, 1960.

By this application, filed October 13, 1960, an extension of the current authority is sought for a further one-year period.

According to the application, the conditions surrounding the transportation in question which justified deviation from the minimum rates continue to exist and said conditions justify the continuation of the relief heretofore granted.

Applicant avers that it will make a fair profit under the sought authority and that the continuation of the outstanding relief is as urgent and necessary today as it was at the time of the hearing on the original application. It is alleged that said continuation is necessary and essential in order to preserve the

transportation arrangements between applicant and its shipper and to preserve the traffic in for-hire carriage.

The application shows that on or about October 11, 1960, a copy thereof was served on various interested parties including California Trucking Associations, Inc. No objection to its being granted has been received.

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

Therefore, good cause appearing,

IT IS ORDERED:

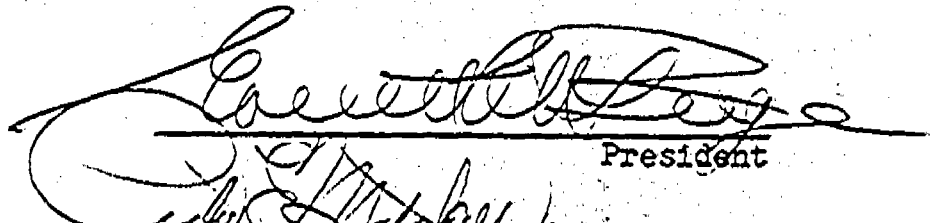
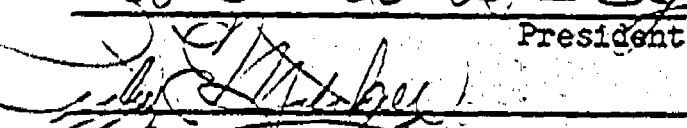


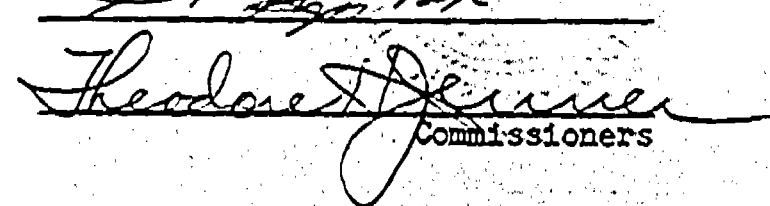
(1) That Rozay's Transfer, a corporation, is hereby authorized to depart from the provisions of Item No. 165 of Minimum Rate Tariff No. 5 to the extent of not assessing the charges which are prescribed in said item for the services of unloading property tendered in pool cars; said authority is to apply only in connection with shipments other than split delivery shipments which applicant, Rozay's Transfer, transports for Burlington Industries, Inc., of Los Angeles, California, (a) when said shipments are brought to applicant's terminal at 771 Towne Avenue, Los Angeles, in motor vehicle equipment owned or operated by or for Burlington Industries, Inc., of Los Angeles; (b) when the components of one or more shipments are not intermingled with other shipments; (c) when the separate shipments have been loaded by shipment in the vehicles in which they are delivered to applicant's terminal; and (d) when each shipment is tendered to, and is billed by, applicant as a separate shipment.

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(2) That the authority granted herein shall expire December 14, 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 22nd day of November, 1960.


President




Commissioners