

Decision No. 61313

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
BIGGE DRAYAGE CO., a corporation, for)
authority to depart from the rates,) Application No. 42900
rules and regulations of Highway Car-)
riers' Tariff No. 2 under the pro-)
visions of the Highway Carriers' Act.)

OPINION AND ORDER

Applicant holds radial highway common, highway contract and city carrier permits. Decision No. 59547, dated January 21, 1960, in Application No. 41772, authorized it, under Section 3666 of the Public Utilities Code, to quote rates and assess charges on the basis of units of measurement differing from those in which the minimum rates are stated. This authority does not allow applicant to observe lower rates and charges than those established as minima, but permits it to deviate from the requirement that the same units of measurement be used. The authority is scheduled to expire January 28, 1961. By this application, filed November 28, 1960, permission is sought to continue that authority for a further one year period.

Applicant represents that the requirements which prompted the filing of the initial application continue to exist; that a substantial portion of its operations is of a highly specialized nature conducted under conditions substantially different from those for which the minimum rates, rules and regulations are designed, and that the transportation in question is of such a nature that shippers require billing to be on hourly or other bases differing from those provided by the minimum rates. The application avers that to the best of applicant's knowledge and belief these conditions will continue in the foreseeable future.

In the circumstances, it appears, and the Commission finds, that the proposed deviation is reasonable. This is a matter in which a public hearing is not necessary. The application will be granted.

Therefore, good cause appearing,

IT IS ORDERED:

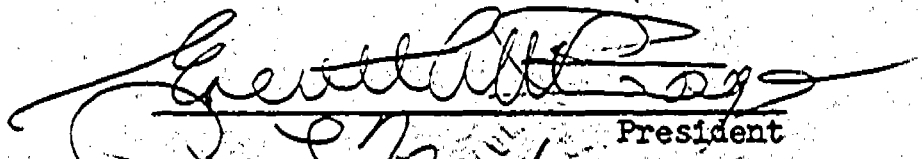
(1) That Bigge Drayage Co. is hereby authorized to quote or assess rates or accessorial charges based upon a unit of measurement different from that in which the minimum rates and charges in Minimum Rate Tariff No. 2 are stated.

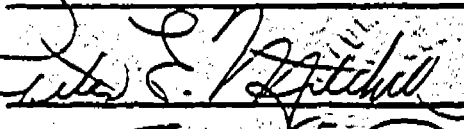
(2) That Bigge Drayage Co. shall retain and preserve copies of its freight bills, subject to the Commission's inspection, for a period of not less than three years from the dates of issuance thereof; and that each such copy of its freight bills shall have attached thereto a statement of the charges which 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.

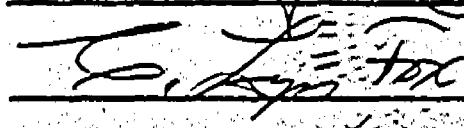
(3) That the authority herein granted shall expire on January 28, 1962, unless sooner canceled, changed or extended by order of the Commission.

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

Dated at San Francisco, California, this 4th day of January, 1961.



President




Commissioners