

Decision No. 61428

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
SHIPPERS EXPRESS COMPANY, a	)	
corporation, for permission to	)	
include an "Exclusive Use of	)	Application No. 42982
Vehicle" provision in its tariffs.	)	

OPINION AND ORDER

By this application filed December 21, 1960, Shippers Express Company, a highway common carrier, seeks authority to publish a rule covering the exclusive use of its equipment. The proposed rule would provide that when a single shipment requires the full utilization of one or more units of carrier's equipment, or when a shipper requires equipment to meet the needs of special conditions, the charges shall be assessed by applying the applicable class or commodity rate, subject to minimum weights varying with the length of equipment used.<sup>1</sup>

The application states that applicant now has in effect an "Exclusive Use of Vehicle Rule" applicable on interstate traffic within California and that certain shippers have requested a similar service for transportation of intrastate traffic. According to the application, a majority of applicant's motor carrier competitors affording service between the same points now have published in their tariffs rules similar to applicant's proposed rule. The application also states that railroads operating in California are able to perform the type of

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<sup>1</sup> The proposed rule contains provisions defining and conditioning its application under various circumstances. The full rule is set forth specifically in Paragraph X of the application.

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transportation in question under certain rules published in the Western Classification. Applicant avers that without the proposed rule it is at a competitive disadvantage.

No objection has been received to the granting of this application.

In view of all of the circumstances, it appears, and the Commission finds, that publication of the proposed shipping rule, including any increased charges resulting therefrom, is justified. A public hearing is not necessary. The application will be granted.

Therefore, good cause appearing,

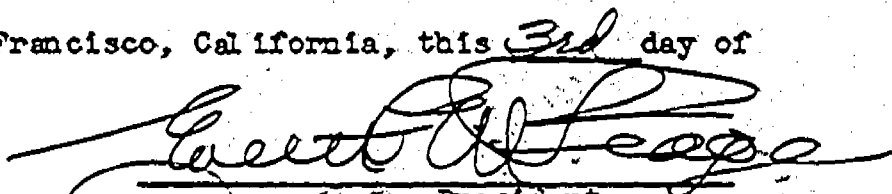
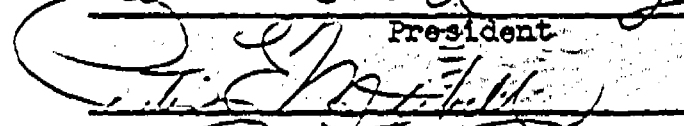
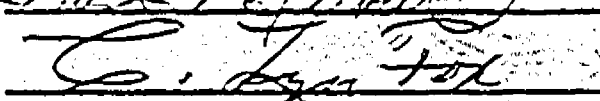
IT IS ORDERED:

(1) That Shippers Express Company, a corporation, is hereby authorized to publish and file, on not less than thirty days' notice to the Commission and to the public, the "EXCLUSIVE USE OF VEHICLE RULE" as set forth specifically in Application No. 42982.

(2) That the authority herein granted shall expire unless exercised within 120 days after the effective date of this order.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 3rd day of February, 1961.

  
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President  
  
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Commissioners