

ORIGINAL

Decision No. 61749

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
CONSTRUCTORS TRANSPORT CO., a corpora-)	
tion, for permission to include an)	Application No. 43182
"Exclusive Use of Vehicle" provision)	
in its tariffs.)	

OPINION AND ORDER

By this application, filed February 27, 1961, Constructors Transport Co., 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, based upon the total weight of the shipment, subject to specified minimum weights per unit of equipment which vary with the length of the equipment used.¹

According to the application, a majority of motor carriers, including applicant, now offer services and have in effect and published in their tariffs, rules and regulations embracing certain types of transportation which require more than one unit of equipment, or traffic which is bulky in nature. The application states that all railroads operating within California now have relief for the above-mentioned traffic under certain rules published in the Western Classification.

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

Applicant avers that it is at a competitive disadvantage without the proposed rule and that the proposed rule is a competent and reasonable provision.

On or about March 2, 1961, a copy of the application was served on California Trucking Associations, Inc. No objection has been received to the granting of the 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 Constructors Transport Co., 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 Paragraph IX of Application No. 45182.

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

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

Dated at San Francisco, California, this 25th day of March, 1961.

Ernest R. Roy
 President

W. L. Mitchell

E. Lynn Fox

George J. Grewer

Frederick B. Hohlhoff
 Commissioners

