

Decision No. 62399

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
BRUNO ALBERT MALUCCHI, an individual,
doing business as A. M. DEVINCENZI
COMPANY, for an order authorizing the
departure from the rates, rules and
regulations of Minimum Rate Tariff
No. 2 under the provisions of the
Highway Carriers' Act.

Application No. 43534

INTERIM ORDER

By Decision No. 60491, dated August 2, 1960, in Application No. 41696, applicant herein was authorized, as a highway common carrier, to publish and apply rates for the transportation of flour from San Francisco to various points of destination, which rates are less than the minimum rates for the same transportation as set forth in Minimum Rate Tariff No. 2. By the above-mentioned decision applicant was also authorized, as a highway contract carrier, to transport flour for ten shippers from San Francisco to certain other points at rates less than those provided for the same transportation in said minimum rate tariff. These two authorizations expire on August 22, 1961.

By petition filed on July 21, 1961, applicant requests a temporary extension of said authorizations for an additional period of 60 days. The petition points out that by the instant proceeding, Application No. 43534, Malucchi seeks to continue, after August 22, 1961, to charge rates, on all the above-described traffic, which will be lower than the applicable minimum rates, and which will be substantially the same as those for which he currently has authorization. Applicant, the petition further states, is now engaged in the development of cost studies for introduction at a public hearing (now scheduled for August 18, 1961) in support of the sought rate relief.¹

¹ By petition for modification in Application No. 42143, to be heard with Application No. 43534, Malucchi seeks the elimination from his common carrier certificate of flour shipments originating in San Francisco. All such shipments he proposes to transport as a highway contract carrier.

The petition further points out that, should the rates sought in Application No. 43534 be authorized, they cannot be put into effect by August 22, 1961. It alleges that public interest will be best served by a temporary extension of the existing authorization, pending the outcome of the forthcoming hearing.

The request for a temporary extension of the existing authorizations appears reasonable. Therefore,

IT IS ORDERED that:

1. The expiration date of the authorities granted to Bruno Malucchi by paragraphs 1 and 2 in Decision No. 60491 is hereby extended to October 21, 1961.

2. Tariff publications to be made pursuant to the authorization herein shall be made effective on not less than five days' notice to the Commission and to the public.

This order is effective on the date hereof.

Dated at San Francisco, California, this 8th day of August, 1961.

Charles A. DeLoach
President
W. A. Mohr
E. J. Fox
George H. Brown
Frederic B. Holcomb
Commissioners