

ORIGINAL

Decision No. 62764

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 minimum) Application No. 43837
rates, pursuant to Section 4015 of)
the Public Utilities Code.) (Filed October 13, 1961)

OPINION AND ORDER

By Decision No. 61097, dated November 22, 1960, in Application No. 42751, applicant was authorized 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, 1961. By this application, 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.

A. 43837 - 1s

The application shows that on or about October 11, 1961, 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.

Good cause appearing,

IT IS ORDERED that:

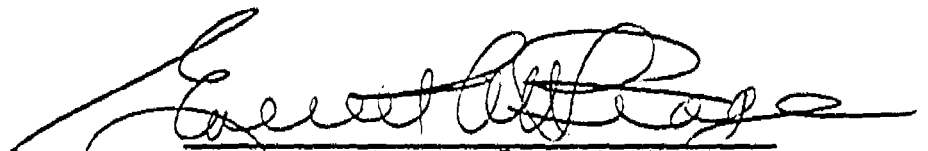
(1) Rozay's Transfer, a corporation, is hereby authorized to depart from the provisions of Item No. 165 of Minimum Rate Tariff No. 5 to the extent of not assessing the charges which are prescribed in said item for the services of unloading property tendered in pool cars; said authority is to apply only 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.

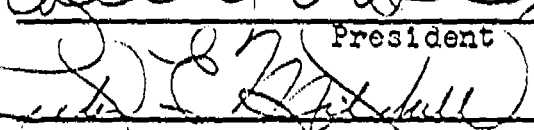
A. 43837 - 1s

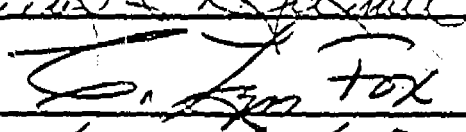
(2) The authority herein granted shall, on and after December 14, 1961, supersede the authority granted by Decision No. 61097 and shall expire with December 14, 1962.

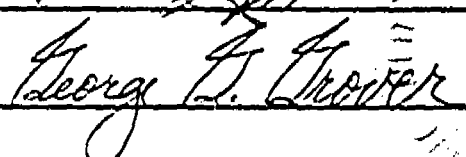
This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 7th day of November, 1961.



President






Commissioners

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.