

ORIGINAL

Decision No. 66207

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Consolidated Freightways Corporation of Delaware, a corporation, for authority to depart from the rates, rules and regulations of Minimum Rate Tariff No. 2 under the provisions of the Highway Carriers' Act.

Application No. 45643 (Filed August 5, 1963)

OPINION AND ORDER

Applicant operates as a radial highway common, highway contract and city carrier. It also holds certificates to operate as a highway common carrier and as a petroleum irregular route carrier between points not involved in this proceeding.

By Decision No. 64444 dated October 23, 1962, in Application No. 44734, applicant was authorized to assess charges based upon certain monthly vehicle unit rates named in Item No. 785 of Minimum Rate Tariff No. 2 for the transportation of property for Pacific Gas and Electric Company within a 150-mile radius of San Francisco. Within the area herein involved, applicant operates only as a permitted carrier. The authority is scheduled to expire October 24, 1963.

Effective May 1, 1963, the monthly unit rates in Item No. 785 of Minimum Rate Tariff No. 2 were superseded by the vehicle unit rates named in Minimum Rate Tariff No. 15. By this application, authority is sought to continue the minimum rate deviation beyond the current expiration date, and to base the authorized rates on the vehicle unit rates set forth in Minimum Rate Tariff No. 15.

Applicant states that it will observe the highest level of unit rates prescribed in Minimum Rate Tariff No. 15; and that it will depart from such unit rates only to the extent that service provided thereunder will be performed within a 150-mile radius of the base point instead of within 125 miles thereof as prescribed in

Paragraph (c) of Item No. 50 of the aforementioned tariff. Applicant alleges that the shipper, Pacific Gas and Electric Company, has requested that the present deviation be continued; that the extension of the deviation herein sought provides the shipper with a valuable and necessary service; and that the service makes a valuable contribution to the carrier's over-all revenue while allowing extraordinarily efficient utilization of equipment. Applicant avers that its experience over the past several years has proved the revenues received under the presently authorized deviation to be fully compensatory.

The verified application shows that a copy thereof was served on California Trucking Association and the Draymen's Association of San Francisco on or about August 2, 1963. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds that the charges, rules and regulations authorized by the order herein are reasonable for the transportation involved. A public hearing is not necessary. The application will be granted. However, as the conditions surrounding the transportation may change, the extension will be limited to one year.

In view of the expiration date of the current authority, the order which follows will be made effective October 24, 1963.

Good cause appearing,

IT IS ORDERED that:

1. Consolidated Freightways Corporation of Delaware is hereby authorized to transport property for Pacific Gas and Electric Company at rates and charges no lower than those set forth in Minimum Rate Tariff No. 15 between points and places located within 150 miles of San Francisco.

2. The authority granted herein shall, on and after October 24, 1963, supersede the authority granted by Decision No. 64444 and shall expire with October 24, 1964.

The effective date of this order shall be October 24, 1963.

Dated at San Francisco, California, this 22nd day of October, 1963.

 President

[Handwritten Signature]

[Handwritten Signature]

 George L. Traylor

 Frederick B. Heloboff

Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.