

Decision No. 66880

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Investigation into the rates, rules, regulations, charges, allowances and practices of all common carriers, highway carriers and city carriers relating to the transportation of any and all commodities between and within all points and places in the State of California (including, but not limited to, transportation for which rates are provided in Minimum Rate Tariff No. 2).

Case Nos. 5432, 5435 ^{ret. 197} ret. 26
5439, 5441 ^{ret. 17} ret. 48

46.

And Related Matters.

ORDER DENYING REHEARING

National Trailer Convoy, Inc. and Morgan Drive Away having petitioned for a rehearing of Decision No. 65919, the Commission having considered said petition and each of the allegations thereof, and being of the opinion that no good cause has been shown for the granting of rehearing, IT IS ORDERED that rehearing is hereby denied.

Dated at San Francisco, California, this 26th day of February, 1964.

William M. Bennett
President
George T. Hoover
Commissioner

I dissent and agree with Commissioner Holoboff.
George T. Hoover

Commissioners

I dissent for the same reasons set forth in the dissenting views in Decision No. 65919 dated August 20, 1963.

Additionally, since the aforesaid decision was issued, the Commission issued Decision No. 66453 dated December 10, 1963, in Case No. 5432, Petitions 233 and 235. In the latter decision the Commission fixed minimum rates based upon cost evidence which was vigorously attacked by certain parties as being insufficient. The Commission found that petitioners' cost studies were the best evidence upon which to adjust the rates for the present and stated that if, upon completion of the staff's cost studies, further adjustments, either up or down, were shown to be necessary, the Commission would undertake to consider such adjustments. Thus, handicapped though it might have been, the Commission nevertheless undertook to discharge its mandatory duties under Section 3662 of the Public Utilities Code. Here, facing a handicap differing only in degree, if at all, the majority chooses ~~to~~ not even ^{to} tackle the problem.

Frederick B. Holcluff
Commissioner