

**ORIGINAL**

Decision No. 70564

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of FRANK SPINGOLO TRUCKING )	
CO., INC., under the Shortened Procedure )	Shortened Procedure
Tariff Docket to make increases in )	Tariff Docket
cement rates by canceling its partici- )	Application No. 48242
pation in West Coast Freight Tariff )	(Filed February 10, 1966)
Bureau, Inc. Tariff No. 12 Cal.P.U.C. )	
No. 15 of Richard A. Bennett, Agent. )	

OPINION AND ORDER

By this application, Frank Spingolo Trucking Co., Inc., (Spingolo) seeks authority to cancel its truckload commodity rates covering the transportation of cement and, in lieu thereof, to apply higher class rates.<sup>1</sup>

Applicant alleges that it was erroneously included as a participating carrier in Bennett's tariff. Applicant avers that (1) there are no cement shippers currently using its services; (2) it has never transported cement under the provisions of this tariff; and (3) there is no prospect of such transportation in the future. Applicant asserts that the increases resulting from the proposed cancellation of its participation in the commodity rates in question would not increase its California intrastate gross revenue by as much as one percent.

A copy of the application was furnished California Trucking Association on or about February 8, 1966. The application

---

<sup>1</sup> The commodity rates involved are set forth in Local Freight Tariff No. 12, Cal.P.U.C. No. 15, of West Coast Freight Tariff Bureau, Richard A. Bennett, Agent, and the class rates are contained in Spingolo's Local Freight Tariff No. 3-A, Cal.P.U.C. No. 4.

was listed on the Commission's Daily Calendar of February 11, 1966. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed cancellation of commodity rates on cement and the increases in charges resulting from such cancellation are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that the participation of Frank Spingolo Trucking Co., Inc., is hereby canceled from Local Freight Tariff No. 12, Cal.P.U.C. No. 15, of West Coast Freight Tariff Bureau, Richard A. Bennett, Agent.

The Secretary is directed to cause service of a certified copy of this order be made upon, or to mail a certified copy thereof to, West Coast Freight Tariff Bureau, Richard A. Bennett, Agent, 319 East Charter Way, Stockton, California 95206.

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

Dated at San Francisco, California, this 12<sup>th</sup> day of April, 1966.

Fredrick B. Holcomb  
President  
W. E. Fisk  
George F. Hoover  
Augustus  
Richard A. Bennett  
Commissioners