

**ORIGINAL**

Decision No. 71548

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 )  
 CABS UNLIMITED, INCORPORATED, )  
 a corporation doing business )  
 as FALCON PARCEL SERVICE )  
 )  
 for authority to deviate from the )  
 rates, rules and regulations pre- )  
 scribed in Minimum Rate Tariff )  
 No. 15 )

Application No. 48818  
 (Filed September 26, 1966)  
 (Amended October 11, 1966)

OPINION AND ORDER

Cabs Unlimited, Incorporated operates as a radial highway common carrier and as a city carrier. By Decision No. 69965 dated November 16, 1965, in Application No. 47560, it was authorized to deviate from certain provisions of Minimum Rate Tariff No. 15 for the transportation of exposed and processed film and prints and related articles for Eastman Kodak Company (Eastman) between Eastman's processing laboratories located in Palo Alto and certain places of business of Eastman's dealers and representatives. The current authority is scheduled to expire with December 6, 1966.

By this application, as amended, applicant seeks an extension of the current authority. It also requests that the authority be modified by increasing the currently authorized base yearly vehicle unit rate on this movement from \$869 to \$940 per unit of carrier's equipment.<sup>1</sup> Applicant states that Eastman is agreeable to the rate increase.

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<sup>1</sup> No authority for the increase is required from this Commission inasmuch as applicant performs this transportation as a permit carrier for which only minimum rates have been established.

Based upon its experience during the past year, applicant alleges that it can continue to provide this service at the rates proposed herein at a satisfactory profit and that the rates are fully compensatory. Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable based on the proposed rates for the ensuing year.

The verified application and amendment show that copies thereof were mailed to California Trucking Association on September 23, 1966 and October 10, 1966, respectively. The application and amendment were listed on the Commission's Daily Calendar of September 27, 1966 and October 13, 1966, respectively. No objection to the granting of this application, as amended, has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rates and rules are reasonable. A public hearing is not necessary. The Commission concludes that the application, as amended, should be granted. Because transportation conditions involved herein may change at any time, the authority will be granted for a period of one year to expire with December 6, 1967.

IT IS ORDERED that:

1. Cabs Unlimited, Incorporated is authorized to transport exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies and advertising literature moving therewith, and used cameras and projectors for repair, when moving in packages weighing 25 pounds or less between the processing laboratories of Eastman Kodak Company at 925 Page Mill Road, Palo Alto, and the places of business of dealers and representatives of Eastman Kodak Company, at rates less than the established minimum

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rates set forth in Minimum Rate Tariff No. 15, but not less than the following rates:

For truck without trailer, having less than 9 feet lineal loading space:

Base Yearly Vehicle Unit Rate

\$940 per unit of carrier's equipment for each period between billing dates as provided in Item No. 100 (paragraph b) of Minimum Rate Tariff No. 15.

Mileage Rate

7½ cents per mile,

and further subject to the conditions hereinafter set forth.

2. Applicant is further authorized to depart from the provisions of Minimum Rate Tariff No. 15 in the following respects:

- (a) Rate shall apply to 8 hours of service out of a period of 9 consecutive hours per day but may be performed with a commencement time agreed to by carrier and shipper instead of being limited to hours of service between 8:00 a.m. and 5:15 p.m. as provided in Item No. 200 of Minimum Rate Tariff No. 15.
- (b) Applicant shall be exempt from paragraph 9 of Item No. 111 of Minimum Rate Tariff No. 15, provided that all COD moneys are delivered and remitted to shipper on the day on which they are collected, and further provided that any loss shall not be the responsibility of the carrier.
- (c) No charge shall be made for service provided on Saturday when a prior weekday in the same week was a holiday and no service embraced by the authorizations herein was performed on said holiday.

3. In all other respects the transportation to which this authorization relates shall be subject to the provisions of said Minimum Rate Tariff No. 15 insofar as they govern shipments which move at yearly vehicle unit rates.

4. The authority herein granted shall, on and after December 6, 1966, supersede the authority granted by Decision No. 69965 and shall expire with December 6, 1967.

The effective date of this order shall be December 6, 1966.

Dated at San Francisco, California, this 9<sup>th</sup> day of November, 1966.

Peter J. D'Almeida  
President

George L. Trover

Frederick B. Holoboff

Augustus

William W. Bennett  
Commissioners