

HJH

Decision No. 72178

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
LEE KUYKENDALL, EUGENE HARNSBERGER,)
SALVATORE DANNA and ROBERT M.)
WILLIAMS for authority to depart)
from the minimum rates, rules and)
regulations of Minimum Rate Tariff)
No. 7, pursuant to the provisions)
of Section 3666 of the Public)
Utilities Code for transportation)
performed for MISSION VALLEY ROCK)
CO.)

Application No. 48851

ORDER VACATING DECISION NO. 71987
AND REOPENING FOR FURTHER HEARING

Decision No. 71987 rendered February 7, 1967 denied applicants' request to depart from the provisions of Minimum Rate Tariff No. 7. On February 24, 1967 applicants filed a petition requesting that the Commission reconsider or reopen and rehear the instant application so that applicants may be afforded an opportunity to present evidence with respect to driver and maintenance costs. No such evidence was offered at the hearing December 16, 1966.

The Commission is of the opinion that the proceeding should be reopened for the limited purpose of taking additional evidence on the issue of driver and maintenance costs.

IT IS ORDERED that:

1. Decision No. 71987 is vacated.
2. Application No. 48851 is reopened for the limited purpose of taking evidence on the issue of driver and maintenance costs only.

3. Further public hearing in the above application shall be held before such Commissioner or Examiner, and at such time and place as may be hereafter designated.

The Secretary is directed to cause a certified copy of this order to be served upon all parties to the record forthwith and to cause appropriate notice of hearing to be mailed before such hearing.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 31st day of MARCH, 1967.

[Signature]
President
[Signature]
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Commissioners