

**ORIGINAL**Decision No. 72902

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 LAMBERT CLAESSON, JACK TELESMANIC,  
 WILLIAM BAILEY, NARIO RESTANI,  
 BEN CAPURRO, and WILLIAM GRAY, under  
 Sec. 3666 of the Public Utilities  
 Code, for an order permitting  
 departure from the provisions of  
 Minimum Rate Tariff No. 7.

Application No. 49343  
 (Filed May 3, 1967)

John Riordan, for applicants.

R. W. Smith, H. F. Kollmyer and A. D. Poe,  
 for California Trucking Association,  
 interested party.

Henry E. Frank and R. E. Douglas, for the  
 Commission staff.

O P I N I O N

Each of the six applicants herein holds a city carrier permit.<sup>1/</sup> By this application, applicants seek authority to deviate from the Commission's minimum rates in connection with the transportation of property in dump truck equipment for the City and County of San Francisco (San Francisco) by assessing rates of \$7.18 per hour for all days except Saturdays, Sundays and holidays, \$9.43 per hour for Saturdays and \$11.69 per hour for Sundays and holidays.

Applicants state that they perform the above transportation for the Bureau of Sewer Repair and the Bureau of Street Repair of San Francisco, that they have, for many years, contracted with

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<sup>1/</sup> Minor discrepancies exist between certain applicants' names as they appear in the application and as they appear in the Commission's official records. Each applicant will be referred to by the name shown in the Commission's official records.

San Francisco for such services and that they are the only persons thus employed. Applicants allege that San Francisco will retain the present contractual arrangements with them insofar as this is economically feasible.

Decision No. 72385, dated May 5, 1967, granted the sought authority on a temporary basis pending a public hearing. Such authority expires September 3, 1967.

Public hearing on the application was held July 7, 1967 at San Francisco before Examiner Turpen. One of the applicants testified on behalf of all six. Applicants' equipment is of two-yard capacity. According to applicants, their operation is the only known operation of this nature in the State. A foreman of the San Francisco Bureau of Sewer Repairs also testified in support of the application. Representatives of the California Trucking Association and of the Commission's staff assisted in developing the record. No one opposed the granting of the application.

Decision No. 72385 describes the operations involved and the information relied on by applicants in support of the sought authority. The evidence adduced at the public hearing confirms such data. It is not necessary to repeat it herein.

The record shows, and the Commission finds, that the rates proposed herein are reasonable and consistent with the public interest. We conclude that the application should be granted. As conditions may change, the authority will be made to expire after one year.



APPENDIX A

Lambert Claesson, John M. Telesmanic, Condy H. Bailey,  
Norio J. Restani, Bennie Capurro, Jr. and William H. Gray

APPLICATION OF RATES

Rates in cents per hour apply to the transportation of property in dump truck equipment, not exceeding 2 cubic yards, level capacity of dump truck body, within the City and County of San Francisco.

<u>Transportation Performed</u>	<u>Rates in Cents Per Hour</u>
A. On all days except as shown in B and C.	718
B. On Saturdays.	943
C. On Sundays and on: January 1, February 22, May 30, July 4, September 9, December 25, the day proclaimed by the President of the United States to be celebrated as Labor Day and the day so proclaimed as Thanksgiving Day.	1169