

ORIGINALDecision No. 73145

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 UNIVERSAL TRANSPORT SYSTEM, INC.,
 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 trans-
 portation performed for PACIFIC
 READY-MIX, INC.

Application No. 48756

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 71718, dated December 20, 1966, Universal Transport System, Inc., was authorized to charge rates less than the established minimum rate for the transportation of concrete aggregate for Pacific Ready-Mix, Inc., from plants in the City of Fremont to Palo Alto and Mountain View. That authority was scheduled to expire June 30, 1967, because it was anticipated there would be a change in labor expenses on or before said date resulting from the termination of the collective bargaining agreement between applicant and its employees. Upon representation by applicant's counsel in May of this year that negotiations with its employees respecting a new agreement had not been concluded, the Commission by supplemental order in Decision No. 72551 extended the authority to September 30, 1967.

By petition for extension of time filed September 14, 1967, applicant seeks a further extension of the authority. It avers that a new contract with its employees has not, as yet, been entered into and, that although it is believed that an agreement may be negotiated within the next several months, it

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is not possible to predict any particular time that such agreement will be reached. Applicant states that, as of the moment, labor costs and other costs upon which the Commission made its determination in Decision No. 71718 have not been increased.

In the circumstances, we find that an extension of the expiration date of the authority is justified. Performance data of the transportation, if not already developed by applicant, can be assembled now and it is not a difficult task to relate the labor cost per hour, or per mile, as the case may be, resulting from a new collective bargaining agreement to such performance data. After considering all of the circumstances, we find that an extension of the authority until December 31, 1967 is reasonable; therefore,

IT IS ORDERED that ordering paragraph 2 of Decision No. 72551, in this proceeding, is amended by substituting "December 31, 1967" for "September 30, 1967".

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 28th day of SEPTEMBER 1967.

Robert E. Bartchell
President
Dorinda Bennett
William S. Jones Jr.

Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.