

Decision No. 73349**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the EMERGENCY APPLICATION)
of the carriers whose names are attached)
to this application for EMERGENCY AUTHORITY)
TO DEPART from minimum rates relating to)
rates, rules and regulations, charges,)
allowances and practices of all carriers,)
highway carriers and city carriers relating)
to the transportation of sand, rock and)
gravel and related items (commodities for)
which rates are provided in Minimum Rate)
Tariff No. 7, Section 4 as a result of the)
order issued by the commission under)
decision # 72223 in case # 5437 which was)
recently published by the commission and)
effective May 6, 1967).

Application No. 49375
(Filed May 16, 1967)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 72502, dated May 26, 1967, in this proceeding, applicant carriers were authorized on an interim basis to depart from the minimum rates for the transportation of property in dump truck equipment within and between points in Shasta, Tehama, Lassen, Trinity, Siskiyou and Modoc Counties. The authority was granted for six months pending a hearing. It is scheduled to expire November 22, 1967.

The deviation was to permit applicants to continue to assess charges on the basis in effect prior to May 6, 1967, when the basis was changed from a cubic yard basis to a tonnage basis. Applicants alleged that the new basis was not suitable to the transportation conditions in their area.

Decision No. 73257, dated October 27, 1967, in Case No. 5437 (Petition for Modification No. 145) again changed the rate

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basis, this time relating the rates to the number of axles on the vehicle.

Applicants state that this change eliminates the need for the deviation authorized by Decision No. 72502. As the change in the minimum rates is not effective until December 10, 1967, the expiration date in Decision No. 72502 will be extended to that date, and Application No. 49375 will be dismissed.

IT IS ORDERED that:

1. Ordering paragraph 3 of Decision No. 72502 is amended to read as follows:

"The authority herein granted shall expire December 10, 1967."

2. Except to the extent granted in Decision No. 72502, Application No. 49375 is dismissed.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this

14th day of NOVEMBER, 1967.

[Signature]
President

[Signature]

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Commissioners