

Decision No. 74500

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of )  
M. G. Marinelli, doing business as )  
M & L TRUCKING COMPANY for extension )  
of authority to deviate from the )  
minimum yearly tonnage requirement )  
for the transportation of iron or )  
steel castings moving within and )  
between Alameda, Albany, Berkeley, )  
Emeryville, Oakland. )

Application No. 50168  
(Filed April 15, 1968)

In the matter of the investigation )  
into the rates, rules, regulations, )  
charges, allowances and practices of )  
all common carriers, highway carriers )  
and city carriers, relating to the )  
transportation of property in the )  
City and County of San Francisco and )  
the Counties of Alameda, Contra Costa, )  
Lake, Marin, Mendocino, Monterey, )  
Napa, San Benito, San Mateo, Santa )  
Clara, Santa Cruz, Solano and Sonoma. )

Case No. 5441  
Petition for Modification  
No. 139  
(Filed April 15, 1968)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 74209 dated June 5, 1968, M. G. Marinelli, doing business as M & L Trucking Company (M & L), was authorized, both as a highway common carrier and as a city carrier, to observe a lower yearly tonnage requirement of 1,000 tons instead of the established minimum requirement of 1,500 tons per year prescribed by the Commission in connection with the transportation of iron or steel castings between Alameda, Albany, Berkeley, Emeryville and Oakland.

By this application and petition, M & L sought authority to observe a minimum yearly tonnage of 750 tons instead of the established minimum requirement of 1,500 tons prescribed by the

Commission. Decision No. 74209, supra, which found the request reasonable, inadvertently specified a minimum annual tonnage of 1,000 tons instead of the sought 750 tons.

In the circumstances, it appears, and the Commission finds, that the necessary correction should be made by the order herein. A public hearing is not necessary. The Commission concludes that Decision No. 74209, supra, should be amended accordingly.

IT IS ORDERED that:

1. Decision No. 74209 dated June 5, 1968, in Case No. 5441 (Petition for Modification No. 139) and Application No. 50168 is amended by substituting the following paragraphs in place and stead of Ordering Paragraphs 1 and 4 thereof:

"1. M. G. Marinelli is hereby authorized to publish and file a minimum yearly tonnage requirement of 750 tons to govern the rates named in Item No. 2040 of his tariff as proposed in Case No. 5441 (Petition for Modification No. 139). The tariff provision authorized herein shall be published to expire with June 21, 1969."

"4. M. G. Marinelli is hereby authorized, as a city carrier, to depart from the provisions of Item No. 810 of Minimum Rate Tariff No. 1-B, as proposed in Application No. 50168, by observing a minimum yearly tonnage requirement less than that applicable under the minimum rates but not less than 750 tons per year."

2. In all other respects, Decision No. 74209 shall remain in full force and effect.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 6<sup>th</sup> day of  
August, 1968.

William Lyons  
President

E. M. Hill

William C. Bunnell  
Regulator

J. P. Morssey  
Commissioners