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Decision No. \_\_\_\_\_

76385

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
CABS UNLIMITED, INCORPORATED, a  
corporation doing business as FALCON  
PARCEL SERVICE for authority to deviate  
from the rates, rules and regulations  
prescribed in Minimum Rate Tariff  
No. 15 for transportation of exposed  
and processed film and prints, etc.  
for account of Eastman Kodak Company  
pursuant to Section 3666 of the Public  
Utilities Code.

Application No. 51406  
(Filed October 6, 1969)

OPINION AND ORDER

Cabs Unlimited, Incorporated, operates as a contract carrier. By Decision No. 74940 dated November 13, 1968, in Application No. 50599, it was authorized to deviate from certain provisions of Minimum Rate Tariff No. 15 for the transportation of exposed and processed film and prints and related articles for Eastman Kodak Company (Eastman) between Eastman's processing laboratories located in Palo Alto and certain places of business of Eastman's dealers and representatives. The current authority is scheduled to expire with December 6, 1969.

By this application, applicant seeks an extension of the current authority. It also requests that the authority be modified by increasing the currently authorized base yearly vehicle unit rate on this movement from \$1,059.00 to \$1,104.00 per unit of carrier's equipment.<sup>1/</sup>

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<sup>1/</sup> No authority for the increase is required from this Commission inasmuch as applicant performs this transportation as a permit carrier for which only minimum rates have been established.

Based upon its experience during the past year, applicant alleges that it can continue to provide this service at the rates proposed herein at a satisfactory profit and that the rates are fully compensatory. Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable based on the proposed rates for the ensuing year.

The verified application shows that copies thereof were mailed to California Trucking Association on October 2, 1969. The application was listed on the Commission's Daily Calendar of October 8, 1969. No objection to the granting of the sought relief has been received.

In the circumstances, the Commission finds, that the proposed rates and rules are reasonable. A public hearing is not necessary. The Commission concludes that the application should be granted. Because transportation conditions involved herein may change at any time, the authority will be granted for a period of one year to expire with December 6, 1970.

IT IS ORDERED that:

1. Cabs Unlimited, Incorporated, is authorized to transport exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies and advertising literature moving therewith, and used cameras and projectors for repair, when moving in packages weighing 25 pounds or less between the processing laboratories of Eastman Kodak Company at 925 Page Mill Road, Palo Alto, and the places of business of dealers and representatives of Eastman Kodak Company located within a radius of 150 air miles of said address at Palo Alto, at rates less than the established minimum rates set forth in Minimum Rate Tariff No. 15, but not less than the following rates:

For truck without trailer, having less than 9 feet lineal loading space:

Base Yearly Vehicle Unit Rate

\$1,104.00 per unit of carrier's equipment for each period between billing dates as provided in Item No. 100 (paragraph b) of Minimum Rate Tariff No. 15.

Mileage Rate

Seven and one-half cents per mile, and further subject to the conditions hereinafter set forth.

2. Applicant is further authorized to depart from the provisions of Minimum Rate Tariff No. 15 in the following respects:

- (a) Rate shall apply to 8 hours of service out of a period of 9 consecutive hours per day but may be performed with a commencement time agreed to by carrier and shipper instead of being limited to hours of service between 8 a.m. and 5:15 p.m. as provided in Item No. 200 of Minimum Rate Tariff No. 15.
- (b) Applicant shall be exempt from paragraph 9 of Item No. 111 of Minimum Rate Tariff No. 15, provided that all C.O.D. moneys are delivered and remitted to shipper on the day on which they are collected, and further provided that any loss shall not be the responsibility of the carrier.
- (c) No charge shall be made for service provided on Saturday when a prior weekday in the same week was a holiday and no service embraced by the authorizations herein was performed on said holiday.

3. In all other respects the transportation to which this authorization relates shall be subject to the provisions of said Minimum Rate Tariff No. 15 insofar as they govern shipments which move at yearly vehicle unit rates.

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4. The authority herein granted shall, on and after December 6, 1969, supersede the authority granted by Decision No. 74940 and shall expire with December 6, 1970.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 4th day of NOVEMBER, 1969.

William Lyons Jr.  
President  
Arthur Lee  
John H. H. H.  
John H. H. H.  
Vernon L. Stinson  
Commissioners