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ORIGINAL

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

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of ECONO-LINE EXPRESS, INC., a )  
corporation, for authority to )  
deviate from the rates, rules )  
and regulations prescribed in )  
Minimum Rate Tariff No. 15. )

Application No. 51512  
(Filed November 28, 1969)

INTERIM OPINION AND ORDER

Econo-Line Express, Inc., is a corporation operating as a highway permit carrier. It seeks authority to depart from the established vehicle unit rates set forth in Minimum Rate Tariff No. 15 for transportation performed for Eastman Kodak Company (Eastman) from that company's film processing laboratories at 925 Page Mill Road, Palo Alto, to its dealers and representatives within a radius of 150 air miles of said plant.

The application alleges that applicant has not heretofore performed service for Eastman, but it is an experienced carrier in the transportation of small packages. Applicant has purchased eight new station wagons for the Eastman service and will garage said equipment on the premises of Eastman in Palo Alto.

Although applicant has had no experience in the performance of the service for which deviation is sought, it estimates in a study attached to the application, that based on its general operations and experience, it will be able to perform the transportation service for Eastman at a profit. In support of this contention, the application points out that rates and charges proposed to be assessed are the same as those authorized to Cabs Unlimited, Incorporated, in Decision No. 76385, dated November 4, 1969, in Application No. 51406.

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Applicant alleges that its service replaced that offered by Cabs Unlimited on December 6, 1969. Said service was begun at the minimum vehicle unit rates, but if the sought authority is granted applicant will revise its rates to the levels of the sought rates. The application points out the only material differences between its services and those of Cabs Unlimited are that it will operate station wagons instead of small trucks and that it will garage its station wagons on the premises of the shipper, instead of at a terminal approximately four miles from said premises.

Inasmuch as the transportation service has commenced, and as the relief requested assertedly is similar to that previously authorized to another carrier, applicant requests that the sought relief be granted as soon as possible.

The application indicates that it was served on the California Trucking Association. In addition, notice of the filing of the application appeared on the Commission's Daily Calendar of December 1, 1969.

Subject to further review upon consideration of additional evidence which may be adduced at a public hearing in this proceeding, it appears, and the Commission finds, that the sought rates are reasonable. Inasmuch as the service offered by applicant appears to be a continuation of a service for which relief has heretofore been granted, the Commission concludes that Econo-Line Express, Inc. should be granted interim authority for a period of six months during which period a public hearing will be scheduled.

IT IS ORDERED that:

1. Econo-Line Express, Inc. is authorized to transport exposed and processed film and prints, complimentary replacement film,

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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 station wagon or 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.

4. The authority herein granted shall expire with June 30, 1970.

5. A public hearing shall be scheduled in this application.

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

Dated at San Francisco, California, this 30th  
day of DECEMBER, 1969.

William J. Brown  
President

[Signature]

[Signature]  
Commissioners

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