

ORIGINAL

Decision No. 77291

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of MILLER MOVING & STORAGE CO., a California corporation, for authority to continue to depart from the provisions of Minimum Rate Tariff No. 2 in the transportation of equipment and telephones for Pacific Telephone & Telegraph Company and Western Electric Company within the County of Monterey.

Application No. 51760  
(Filed March 9, 1970)

O P I N I O N

Miller Moving & Storage Co., a corporation, seeks extension of its authority as a highway contract carrier to depart from the established minimum rates for the transportation of telephone equipment, materials and supplies for Western Electric Company and The Pacific Telephone and Telegraph Company between points and places in Monterey County, which was subject to an expiration date of March 31, 1970. Said authority provides that applicant may assess hourly rates and charges on levels no lower than those provided in Minimum Rate Tariff No. 4-B, in lieu of the rates in cents per 100 pounds set forth in Minimum Rate Tariff No. 2.<sup>1/</sup> Decision No. 74913, which granted said authority, contained the following conclusion:

- "3. In any subsequent application seeking to extend or modify the authority granted herein, applicant should be required to show by competent evidence that the rates sought to be applied exceed its costs of providing said service."

<sup>1/</sup> The expiration date of December 31, 1969 of the original authority, as provided in Decision No. 74913, in Application No. 50416, was extended to March 31, 1970 in order that the authority would not lapse pending the filing of an application containing the data required by conclusion 3 of said decision.

In response to the foregoing applicant's vice president, in a letter to the Commission dated May 12, 1970 (received herein as Exhibit 1), stated the following:

"We have been charging the Western Electric Company on an hourly basis for the delivery of equipment to areas outside of the Monterey or Salinas area. This is done as the charges on a cwt basis at the tariff 2 rates would not be enough to cover the service required. We are billing them on an hourly rate of \$19.50 for a van and two men, which is the current Public Utilities Commission minimum rate for moving household goods. We have determined our costs to be as follows:

	Hourly cost of driver	\$4.23
	Hourly cost of helper	4.23
Fringe benefit estimated	hourly cost of driver	2.00
Fringe benefit estimated	hourly cost of helper	2.00
Estimated truck cost per hour in local deliveries		3.00
Estimated G & A overhead before taxes		3.00
		<u>\$18.46</u>

"We have thereby determined the hourly rate of \$19.50 is approximately \$1.04 in excess of our cost. We do therefore feel that our company is in a much better financial position as a result of charging on the hourly basis rather than on the cwt basis for this service."

The application was served on the California Trucking Association, which has informed the Commission that it has no objection to ex parte consideration of the application. Also, the application was listed on the Commission's Daily Calendar. There are no protests or requests for hearing.

In the circumstances, the Commission finds that the information set forth in Exhibit 1 satisfies the requirement of conclusion 3 of Decision No. 74913, and the data set forth in said exhibit shows that the hourly rates proposed to be assessed exceed the costs of providing service under said rates. We also find that the proposed rates will be reasonable. The application should be granted. A public hearing is not necessary. Inasmuch as the

circumstances surrounding the transportation may change at any time, the authority will be limited to a period of one year.

O R D E R

IT IS ORDERED that:

1. Miller Moving & Storage Co., a corporation, is authorized to quote and assess rates and charges in the units of measurement set forth in Items Nos. 330 and 340 of Minimum Rate Tariff No. 4-B and no lower than the rates and charges named in those items, in lieu of the minimum rates per 100 pounds specified in Minimum Rate Tariff No. 2, in connection with the transportation of property for The Pacific Telephone and Telegraph Company and Western Electric Company between points in Monterey County.

2. The authority herein granted shall expire with June 30, 1971.

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

Dated at San Francisco, California, this 3rd day of JUNE, 1970.

William Symons, Jr.  
President

Augusta

[Signature]

Vernon L. Sturgeon  
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.