

ORIGINAL

Decision No. 77487

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)	
ROZAY'S TRANSFER, a corporation, for)	Application No. 51413
authority to deviate from minimum)	(Filed October 7, 1969;
rates, pursuant to Section 3666 of)	Petition for Modification
the California Public Utilities Code.)	Filed March 18, 1970)

SUPPLEMENTAL ORDER

Rozay's Transfer, a corporation by Petition for Modification filed March 18, 1970 requests that Decision No. 76404, dated November 12, 1969 be modified to add its new terminal located at 2315 Nadeau Street, Huntington Park, California to the existing rate relief now authorized by Decision No. 76404.

The records of the Commission reveal that the certificate of public convenience and necessity of Rozay's Transfer is authorized by Decision No. 61417, dated January 24, 1961, as amended by Decision No. 63069, dated January 9, 1962, and ultimately transferred to Rozay's Transfer by Decision No. 66219, dated October 29, 1963, and as amended by Decision No. 66430, dated December 10, 1963, and Resolution No. 16341, dated November 7, 1968, amending the certificate by adding the following restriction:

"9. Textiles, dry goods, wearing apparel, rugs or carpeting between points wholly within the City of Los Angeles and moving entirely via routes within the City of Los Angeles when the traffic is delivered by pool car to the carrier's terminal and does not have an immediately prior movement by water."

By letter to the Commission dated March 17, 1970, a copy of which is attached to the application, the petitioner states:

"Rozay's Transfer now requests a further amendment, subject to the Commission granting the relief requested in Application No. 51413, amending its certificate by adding the following additional restriction.

"10. Textiles, dry goods, wearing apparel, rugs or carpeting from the carrier's terminal located at 2315 Nadeau Street, Huntington Park, California destined to points within the City of Los Angeles north of 132nd Street when the traffic is delivered by pool car to the carrier's terminal located at 2315 Nadeau Street, Huntington Park, California, and does not have an immediately prior movement by water."

Applicant alleges that its petition for modification to its existing rate relief is premised on the fact that applicant opened a new terminal at 2315 Nadeau Street, Huntington Park, California on March 7, 1970. Applicant desires to use this terminal, along with its other terminals, to handle the subject freight. This new terminal will allow greater efficiency and flexibility in the handling of the subject traffic.

The basis for this order for the current tariff deviation for a further one year period are the same as set forth on pages 1, 2 and 3 of Decision No. 76404 in this Application No. 51413.

The certificate of service shows that copies of the petition for modification were mailed to California Trucking Association and other interested parties on March 18, 1970. The

petition for modification was listed on the Commission's Daily Calendar of March 20, 1970. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that the proposed amendment of the certificate would not be adverse to the public interest and the proposed basis of charges is reasonable. A public hearing is not necessary. The Commission concludes that the petition for modification should be granted.

IT IS ORDERED that:

1. Ordering paragraph 1 of Decision No. 76404, dated November 12, 1969, is hereby amended to read as follows:

Rozay's Transfer, a corporation, is hereby authorized to depart from the provisions of Item No. 165 of Minimum Rate Tariff No. 5 to the extent of not assessing the charges which are prescribed in said item for the service of unloading textiles, dry goods, wearing apparel, rugs or carpeting, tendered in pool cars; said authority is to apply only in connection with shipments (other than split-delivery shipments) which applicant transports for Burlington Industries, Inc., of Los Angeles (a) when said shipments are brought to applicant's terminal at 2167 East 25th Street or 820 South Alameda, both in Los Angeles, or 2315 Nadeau Street, Huntington Park, in motor vehicle equipment owned or operated by or for Burlington Industries, Inc., of Los Angeles, or in railroad owned "piggyback" trailers; (b) when the components of one or more shipments are not intermingled with

A. 51413 ds *

other shipments; (c) when shipments have been loaded by shipper into the vehicles in which they are delivered to applicant's terminals; (d) when each shipment is tendered to, and is billed by, applicant as a separate shipment; and (e) when said shipments are transported between points wholly within the City of Los Angeles via routes within said city and do not have an immediate prior movement by water; (f) or when shipments are transported from applicant's terminal located at 2315 Nadeau Street, Huntington Park, California destined to points wholly within the City of Los Angeles, north of 182nd Street, and do not have an immediately prior movement by water.

2. Appendix A of Decision No. 61417, as heretofore amended, is further amended by incorporating therein Third Revised Page 3, attached hereto, in revision of Second Revised Page 3.

3. Rozay's Transfer, a corporation, shall amend its tariffs to reflect the authority granted in ordering paragraph 2 hereof on not less than two days' notice to the Commission and the public.

4. The effective date of the authority granted in ordering paragraph 1 hereof shall be concurrent with the effective date of the tariff filings authorized in ordering paragraph 3 hereof.

A. 51413 ds *

5. In all other respects, Decision No. 61417, as amended, and Decision No. 76404 shall remain in full force and effect.

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

Dated at San Francisco, California, this 14th day of JULY, 1970.

Chairman

William J. ...

[Signature]

Vernon L. Stinson
Commissioners

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

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

Applicant shall not transport any shipments of:

1. Used household goods and personal effects not packed in accordance with the crated property requirements set forth in Item No. 5 of Minimum Rate Tariff No. 4-B.
2. Automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis.
3. Livestock, viz.: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine.
4. Commodities requiring protection from heat by the use of ice (either water or solidified carbon dioxide) or by mechanical refrigeration.
5. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles.
6. Commodities when transported in bulk in dump trucks or in hopper-type trucks.
7. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
8. Logs.
9. Textiles, dry goods, wearing apparel, rugs or carpeting between points wholly within the City of Los Angeles and moving entirely via routes within the City of Los Angeles when the traffic is delivered by pool car to the carrier's terminal and does not have an immediately prior movement by water.
10. Textiles, dry goods, wearing apparel, rugs or carpeting from the carrier's terminal located at 2315 Nadeau Street, Huntington Park, California destined to points within the City of Los Angeles north of 182nd Street when the traffic is delivered by pool car to the carrier's terminal located at 2315 Nadeau Street, Huntington Park, California and does not have an immediately prior movement by water.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 77487, Application No. 51413.