

ORIGINAL

Decision No. 79254

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 Equip-)
ment and Telephones for Pacific Tele-)
phone & Telegraph Company and Western)
Electric Company within the County of)
Monterey.)

Application No. 52688
(Filed June 16, 1971)

OPINION AND ORDER

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. Said authority provides that applicant may assess hourly rates and charges which are no lower than those published in Minimum Rate Tariff 4-B, in lieu of the rates expressed in cents per 100 pounds set forth in Minimum Rate Tariff 2.

Decision No. 74913, in Application No. 50416, which initially granted the authority involved herein, contained the following conclusions:

"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."

In order that applicant's current authority would not lapse, pending the filing of an amendment to its application containing the required information indicated above, the expiration date of said authority was extended to October 31, 1971, by Decision No.

78875, dated June 29, 1971, in Application No. 52688.^{1/} Responsive to the aforementioned conclusion of the Commission, applicant's vice president, in a letter addressed to the Commission dated August 30, 1971 (received herein as Exhibit 1) stated the following:

"RE: Decision #78875

Your Commission recently gave us permission to haul Western Electric equipment on hourly basis until October 31, 1971. We were, before that time, to give you cost figures showing that we were charging in excess of our cost for that service. We have determined that our costs in local moving are as follows:

	Hourly cost of driver	\$4.63
	Hourly cost of helper	4.63
Fringe benefit estimated	hourly cost of driver	2.20
Fringe benefit estimated	hourly cost of helper	2.20
Estimated truck cost per hour in local deliveries		3.15
Estimated G & A overhead before taxes		<u>3.15</u>
		\$19.96

"You will note that this comes to a cost of \$19.96 for a van and two men, and \$12.23[2] for a van and one man. We are charging Western Electric Company a minimum of \$14.00 an hour for a van and one man, and \$21.45 for a van and two men. We, therefore, feel that the charges we are quoting are in excess of our actual costs. Since the Western Electric Company requires that we make specific deliveries of small shipments, we would not be charging more than our costs unless we did it on an hourly basis."

It is alleged that the public interest does not require a public hearing of this matter and applicant requests that the relief sought herein be granted ex parte. The certificate of service shows that a copy of Application No. 52688 was mailed to the California Trucking Association on June 15, 1971. Said application was also listed on the Commission's Daily Calendar for June 17, 1971. No protests have been filed relative to the sought ex parte relief.

^{1/} In view of the Executive Order of the President of the United States, announced August 15, 1971, imposing a freeze on price and wage increases for 90 days, applicant's authority has been "continued in effect until further order of the Commission" by Resolution No. SDD-28 of August 31, 1971.

[2] Should be \$13.13.

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 show 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.

It is concluded that Application No. 52688 should be granted. A public hearing is not necessary. Inasmuch as the circumstances surrounding the transportation may change at any time, the authority to be granted herein will be limited to a period of one year.

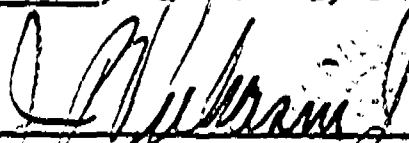
IT IS ORDERED that:

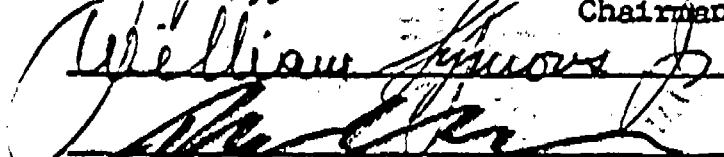
1. Miller Moving & Storage Co., a corporation, is authorized to quote and assess rates and charges in the units of measurement set forth in Items Nos. 330 and 340 of Minimum Rate Tariff 4-B and no lower than the rates and charges named in those items, in lieu of the minimum rates per 100 pounds specified in Minimum Rate Tariff 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 November 1, 1972.


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

Dated at San Francisco, California, this 19th
day of OCTOBER, 1971.



Chairman






Commissioners