

Decision No. 80591

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of DELIVERY SERVICE COMPANY for )  
authority to establish certain )  
increased rates applicable to whole- )  
sale and retail service between )  
points within the East Bay Drayage ) Application No. 52295  
Area and points in Alameda, Contra )  
Costa, and Solano Counties, and to )  
wholesale service between points )  
within the East Bay Drayage Area )  
and El Cerrito. )

SUPPLEMENTAL OPINION AND ORDER

Delivery Service Company, a corporation, is a highway common carrier specializing in same-day pickup and delivery service of parcels and packages weighing less than 100 pounds between points in Alameda, Contra Costa and portions of Solano Counties. It is also the rate-making carrier in connection with the wholesale parcel delivery services for which rates are provided in Item 840 of Minimum Rate Tariff 1-B.

Applicant was originally granted operating authority in Decision No. 28691, dated April 6, 1936, in Application No. 20144. An in-lieu certificate was issued in Decision No. 68451, dated January 12, 1965, in Application No. 46107. This authority was amended by Decision No. 78149, dated January 5, 1971, in Application No. 52103 and Decision No. 78414, dated March 9, 1971, in Application No. 52295.

Delivery Service Company also holds radial highway common carrier and highway contract carrier permits issued by this Commission.

The carrier alleges that it is experiencing financial difficulties in its certificated operations and has requested that its highway common carrier authority be suspended. Delivery Service Company intends to continue operations but to establish different financial relationships with its customer shippers as a permitted carrier.

After consideration, the Commission finds that the proposed suspension of service would not be adverse to the public interest. A public hearing is not necessary.

IT IS ORDERED that:

1. Concurrent with the tariff filings required by ordering paragraph 2 hereof, the operating authority granted Delivery Service Company, a corporation, by Decision No. 68451 dated January 12, 1965, in Application No. 46107, as amended by Decision No. 78149, dated January 5, 1971, in Application No. 52103 and Decision No. 78414, dated March 9, 1971, in Application No. 52295 is hereby suspended until October 31, 1973 or a date prior thereto.

2. Within sixty days after the effective date hereof and on not less than five days' notice to the Commission and to the public, applicant shall amend its tariffs presently on file with this Commission to reflect the authority herein granted.

3. During the period of suspension, Delivery Service Company shall continue to file quarterly reports and pay fees pursuant to Section 5003.1 of the Public Utilities Code and to file an annual report in accordance with Commission regulations.

4. Prior to the expiration date of the suspension period or the date service is resumed when the latter date is earlier than said expiration date, Delivery Service Company shall file a list of motor equipment to be operated and file and have

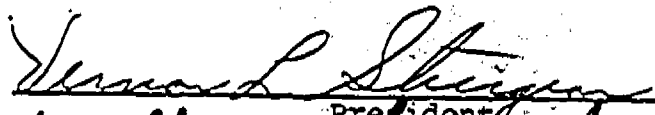


in effect evidence of adequate liability insurance protection in compliance with Commission General Order No. 100 series.

5. In addition to the requirements of paragraph 4, above, tariff schedules naming rates and rules governing the common carrier operations herein shall be brought up to date in compliance with all applicable Commission minimum rate orders. The required tariff filings shall be made effective on not less than ten days' notice to the Commission and to the public and the effective date of the tariff filings shall be concurrent with the expiration date of the suspension period or the date when service is resumed when the latter date is prior to said expiration date.

6. Delivery Service Company is placed on notice that commencement of operations under the certificate referred to in ordering paragraph 1 herein, prior to compliance with ordering paragraphs 4 and 5 may be cause for further suspension or revocation of the operating authority of Delivery Service Company.

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

Dated at San Francisco, California, this 11<sup>th</sup> day of October, 1972.

  
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President  
  
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Commissioners

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