

Decision No. 80961**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
 into the rates, rules, regulations,)
 charges, allowances, and practices)
 of all common carriers, highway)
 carriers, and city carriers relating)
 to the transportation of sand, rock,)
 gravel, and related items)
 (commodities for which rates are)
 provided in Minimum Rate Tariffs)
 7 and 17-A).

Case No. 5437
 Petition for Modification
 No. 237
 (Filed October 30, 1972)

ORDER OF DISMISSAL

Petition No. 237, filed by Associated Independent Owner-Operators, Inc. (AI00), requests the Commission to direct its Transportation Division staff to complete and present the cost and rate studies contemplated in connection with Part 2 of Order Setting Hearing 213 in Case No. 5437, relating to statewide rates and rules for transportation by a carrier who provides a driver and power unit of equipment without trailing equipment.

In separate orders in Case No. 5437 issued today, Part 2 of Order Setting Hearing 213 was discontinued and a new Order Setting Hearing was issued for the purpose of receiving evidence concerning proposed additional rules in Minimum Rate Tariffs 7 and 17-A providing for compensation to carriers which furnish units of equipment consisting of a tractor and driver without trailing equipment for the movement of commodities covered by the tariffs. The Commission staff is prepared to present rate and cost studies in the latter proceeding.

As the relief sought in Petition No. 237 has been accomplished the petition is moot and should be dismissed. Therefore,

IT IS ORDERED that Petition No. 237 in Case No. 5437 is dismissed without prejudice.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 16th day of JANUARY, 1973.

Vernon L. Sturgeon
President
[Signature]
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Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.