Decision No. **81040**

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Morley Truck Lines, Inc.,)
for authority to deviate from the pro-)
visions of Item 250 Minimum Rate Tariff)   Application No. 53554
#2 for two accounts (Pervo Paint Co.,)   (Filed August 29, 1972)
6624 Stanford, Los Angeles, and J. O.)
Ernst Trucking, 227 W. Jefferson,)
Los Angeles, California).)
)
)

Richard H. Morley, for applicant.
J. C. Kaspar, Herbert W. Hughes, and
  Arlo D. Poe, Attorney at Law, for
  California Trucking Association,
  protestant.
Joseph Alvarez, for the Commission
  staff.

O P I N I O N

Morley Truck Lines, Inc. (Morley) requests authority to
deviate from the provisions of Item 250 of Minimum Rate Tariff 2.

Public hearing on the application was held before Examiner
O'Leary at San Francisco on December 11, 1972.

Applicant requests the deviation for two accounts, Pervo
Paint Co. (Pervo) and J. O. Ernst Trucking. At the hearing appli-
cant requested that the application be amended so as to delete
J. O. Ernst Trucking.

The vice-president of applicant testified that Pervo
requested that Morley apply for the deviation so as to allow Pervo to
pay its freight bills on the tenth of each month. The witness also
testified that the only reason Pervo made the request was because of
convenience. A letter addressed to Morley from Pervo requesting the
deviation was received as Exhibit 1. No reasons for the request are
set forth in Exhibit 1.

-1-

The application was protested by the California Trucking Association.

The Commission finds that the convenience of Pervo Paint Co. is the sole reason advanced for requesting the deviation.

The Commission concludes that the application should be denied.

O R D E R

IT IS ORDERED that Application No. 53554 is denied.

The effective date of this order shall be twenty days after the date hereof.

Dated at _____San Francisco_____, California, this _14th_ day of ___FEBRUARY___, 1973.

_____
President

_____
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Commissioners