

Decision No. 81156**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of BIGGE DRAYAGE CO., a corpora-)
 tion, for authority to depart)
 from the rates, rules and regula-)
 tions of various minimum rate)
 tariffs on shipments of unusual)
 size or characteristics. }

Application No. 53805
 (Filed January 24, 1973)

OPINION AND ORDER

Applicant holds radial highway common carrier, highway contract carrier, and household goods carrier permits. By Decision No. 79741 in Application No. 53099, it was authorized to continue to quote rates and assess charges on the basis of units of measurement differing from those in which the minimum rates are stated in various Commission minimum rate tariffs.^{1/} This authority does not allow applicant to observe lower charges than those established as minimum but permits it to deviate from the requirement that only the tariff units of measurement be used. The authority is scheduled to expire on March 24, 1973. By this application, permission is sought to continue that authority to and including March 24, 1974.

Applicant represents that the requirements prompting the filing of the initial application, as amended, have continued to exist and, to its knowledge and belief, will continue in the foreseeable future.

Data submitted by applicant indicate that the freight charges for the transportation involved exceeded those otherwise applicable under the Commission's minimum rates.

^{1/} The tariffs involved are: Minimum Rate Tariff 2 (statewide general commodities), Minimum Rate Tariff 1-B (East Bay drayage), Minimum Rate Tariff 9-B (San Diego drayage), and Minimum Rate Tariff 19 (San Francisco drayage).

The certificate of service shows that copies of the application were mailed to California Trucking Association on January 23, 1973. The application was listed on the Commission's Daily Calendar of January 29, 1973. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed deviation is reasonable. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. Bigge Drayage Co., a corporation, is hereby authorized to quote or assess rates or accessorial charges based upon a unit of measurement different from that in which the minimum rates and charges are stated in Minimum Rate Tariff 2, Minimum Rate Tariff 1-B, Minimum Rate Tariff 9-B, and Minimum Rate Tariff 19 with respect to the following transportation services:

- a. Commodities, the transportation of which, because of size or weight, require the use of special equipment, and commodities not of unusual size or weight when their transportation is incidental to the transportation by applicant of commodities which by reason of size or weight require special equipment.
- b. Pipe and tubing, and pipe and tubing fittings and supplies and materials required for the installation of pipe or tubing when the transportation of such pipe or tubing fittings and supplies and materials required for installation of pipe or tubing is incidental to the transportation of pipe or tubing.
- c. The entire contents of a plant or warehouse from an old location to a new location which involves the transportation of some articles which because of their size or weight require the use of special equipment, together with all other items involved in the same move which are not of such character.

2. The freight charges assessed under the authority granted in Ordering Paragraph 1 hereof shall not be less than those which would have been assessed had the rates and accessorial charges stated in the applicable minimum rate tariff been applied.

3. Bigge Drayage Co. shall retain and preserve copies of its freight bills, subject to the Commission's inspection, for a period of not less than three years from the dates of issuance thereof; and each such copy of its freight bills shall have attached a statement of the charges which would have been assessed if the minimum rates had been applied and full information necessary for accurate determination of the charges under the minimum rates.

4. The authority herein granted shall, on and after March 24, 1973, supersede the authority granted by Decision No. 79741 and shall expire with March 24, 1974.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 13th
day of MARCH, 1973.

Vernon L. Spurgeon
President
William J. Lyons
J. R. Williams
Thomas Moran
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.