

ORIGINAL

Decision No. 82981

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 any and all
commodities between and within all
points and places in the State of
California (including, but not
limited to, transportation for which
rates are provided in Minimum Rate
Tariff No. 2),

Case No. 5432
Petition for Modification
No. 800
(Filed May 2, 1974)

And Related Matters.

Cases Nos. 5439 and 5441
Petitions for Modification
Nos. 213 and 300
(Filed May 2, 1974)

OPINION AND ORDER

Raymond G. Smart, doing business as West Coast Mail Service,
is authorized to operate as a radial highway common carrier and
highway contract carrier for the transportation of property subject
to the provisions contained in Minimum Rate Tariffs 1-B, 2, 9-B,
and 19. Petitioner requests authority exempting him from the other-
wise governing provisions of the minimum rate tariffs when performing
courier transportation of:

Checks, drafts, money orders, securities, transit
items, sales audit items, business records, audit
media, tabulation cards, data processing materials,
legal documents, and printed or reproduced documents
on data, in vehicles of licensed weight of 4,000
pounds or less, and excluding transportation subject
to weekly, monthly, or yearly vehicle unit rates.

Petitioner states that the sought exemption is identical to that granted in Decision No. 65794 (61 CPUC 260) wherein the Commission found: "In view of these and other dissimilarities between petitioners' services and those which are subject to the minimum rate provisions in issue herein, we find that said minimum rate provisions are not appropriate minimum rates, rules and regulations for the armored car and courier services which petitioners provide." A like finding relative to petitioner's sought minimum rate exemption would also be appropriate.

This matter was listed on the Commission's Daily Calendar for May 3, 1974. No protests or requests for public hearing have been received. In the circumstances, the Commission finds that Raymond G. Smart, doing business as West Coast Mail Service, is engaged in a courier transportation service for which competing highway carriers have heretofore been exempted from the otherwise governing minimum rates, and petitioner's request for similar relief has been shown to be justified.

The Commission concludes that Petitions Nos. 800, 213, and 300 in Cases Nos. 5432, 5439, and 5441, respectively, should be granted. A public hearing is not necessary.

IT IS ORDERED that Raymond G. Smart, doing business as West Coast Mail Service, is exempted from the otherwise governing provisions of Minimum Rate Tariffs 1-B, 2, 9-B, and 19 when engaged in the courier transportation of:

Checks, drafts, money orders, securities, transit items, sales audit items, business records, audit media, tabulation cards, data processing materials, legal documents, and printed or reproduced documents on data, in vehicles of licensed weight of 4,000

pounds or less, and excluding transportation
subject to weekly, monthly, or yearly vehicle
unit rates.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 17th
day of JUNE, 1974.

Vernon L. Stenger
President
William J. ...
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Commissioners