

Decision No. 84230

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).

And Related Matters.

Case No. 5432
Petition for Modification
No. 660

Petition for Modification
of Decision No. 83788
(Filed December 30, 1974)

Case No. 5433, Petition No. 38
Case No. 5436, Petition No. 112
Case No. 5437, Petition No. 211
Case No. 5438, Petition No. 83
Case No. 5440, Petition No. 75
Case No. 5604, Petition No. 28
Case No. 7857, Petition No. 50
Case No. 8808, Petition No. 15

SUPPLEMENTAL OPINION

Decision No. 83788 issued December 10, 1974 in the
captioned proceedings denied the petitions of California Trucking
Association seeking to cancel provisions in the Commission's
minimum rate tariffs which authorize the combination of minimum
rates in those tariffs with alternatively applied common carrier
rates.

By petition filed December 30, 1974, the Wine Institute
seeks amendment or restatement of certain findings contained in
Decision No. 83788 to remove alleged potential ambiguities.

The petition of the Wine Institute was served on all parties to the captioned proceedings on December 27, 1974. In addition, notice of the filing of the Wine Institute pleading appeared on the Commission's Daily Calendar. California Trucking Association (CTA), on February 14, 1975, filed a reply to the Wine Institute pleading. CTA opposes the modifications proposed by the Wine Institute. CTA states that the ambiguities and uncertainties alleged by the Wine Institute with respect to Finding of Fact No. 12 and Conclusion of Law No. 5 of Decision No. 83788 do not in fact exist and urges that the findings and conclusions in that decision remain unchanged.

We have reviewed the revisions of Decision No. 83788 proposed by the Wine Institute and conclude that the findings and conclusions in that decision are clear and require no modification. Therefore, the petition filed by the Wine Institute should be denied.

SUPPLEMENTAL ORDER

IT IS ORDERED that the Petition for Modification of Decision No. 83788 filed December 30, 1974 by the Wine Institute is hereby denied.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 25th day of MARCH, 1975.

Vernon L. Sturgeon
President
William J. Givens, Jr.
Leonard Ross
Commissioners