

ORIGINAL

Decision No. 84425

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 Tariff No. 7-A).

Case No. 5437
Petition for Modification
No. 261
(Filed January 7, 1974)

ORDER OF DISMISSAL

By Decision No. 82752 dated April 23, 1974, after hearing, minimum rates for dump truck transportation of asphaltic concrete, rock, sand, gravel, and related commodities in the Antelope Valley were revised and increased on an interim basis pending receipt of further evidence. Cost and related studies were being conducted by petitioner.

On March 31, 1975 petitioner filed a petition for dismissal of Petition No. 261 stating that the studies have taken longer than anticipated, and that agreement as to exact proposals has not been reached. It asserts that these circumstances are due in part to the fact that business conditions in the Antelope Valley area have been extremely poor. The petition filed March 31, 1975 also requests that the interim rates established by Decision No. 82752 be made permanent.

Petitioner explains that the studies are still in progress but that it prefers to have Petition No. 261 (filed January 7, 1974) dismissed to clear the record. It is planned at a later date that a new petition will be filed concerning further revisions of the Antelope Valley zone rates. Petitioner points out that the increases granted by Decision No. 82752 were

based in part on certain cost factors in Exhibit 213-93 (Case No. 5437, OSH 213) and there were no protests. It states that the interim rates have been reasonably satisfactory and have mitigated the urgent situation which existed at the time Petition No. 261 was filed.

We find that further hearing in Petition No. 261 is not necessary. We conclude that the interim rates established by Decision No. 32758 should be made permanent and that Petition No. 261 should be dismissed.

IT IS ORDERED that:

1. The minimum rates established by Decision No. 32758 on an interim basis are hereby made permanent.
2. Petition No. 261 is dismissed.

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

Dated at San Francisco, California,
this 13th day of MAY, 1975.

Vernon L. Steiner
President
William J. Quinn
Donald J. Quinn
John J. Quinn
Robert J. Quinn
Commissioners