

ORIGINAL

Decision No. 84822

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 and highway
carriers relating to the transpor-
tation of uncrated new furniture
(commodities for which rates are
provided in Minimum Rate Tariff
No. 11-A).

And Related Matters.

Case No. 5603, OSH 151
(Filed April 16, 1974)

Case No. 5439, OSH 211

Case No. 5441, OSH 298
(Filed April 16, 1974)

William Craft, Attorney at Law, for Western Gillette,
Inc.; Harry Smith, for LADS Furniture Freight Inc.;
Dennis Firestone, for KKW Trucking Inc.; and Paul C.
Driskell for Driskell Trucking Inc.; respondents.
Richard W. Smith, and William T. Meinhold, Attorneys at
Law, and Herbert Hughes for California Trucking
Association; R. C. Fels for Furniture Manufacturers
Association of California; and Jan J. Peterson, for
John Breuner Co., interested parties.
Clyde T. Neary and Robert E. Walker, for the Commission
staff.

ORDER OF DISCONTINUANCE

The order setting hearing herein reads as follows:

"The Commission's Transportation Division has conducted full scale cost and rate studies concerning rates and rules for transportation of uncrated new furniture as contained in Minimum Rate Tariffs 1-B, 9-B, 11-A and 19. Staff exhibits are being prepared and will be mailed to all interested parties. A public hearing should be held in these proceedings for the receipt of evidence relative to the adjustment and/or establishment of minimum rates and rules for such transportation."

A duly noticed public hearing was held before Examiner Mallory at San Francisco on May 6 and 7, 1974, at which time the Commission staff introduced its cost and rate studies. The matter was then temporarily removed from the calendar at the request of interested parties and the staff.

On July 29, 1975 the assigned commissioner and examiner were advised by the Commission's Transportation Division as follows:

"The staff has presented full scale cost and rate studies in this matter. However, subsequent to the receipt of such studies in evidence the largest carrier in the field has gone out of business. A substantial portion of the evidence supporting the staff studies was concerned with the operations of this carrier.

"In the circumstances, it is recommended that OSH 151 be dismissed."

By letter dated July 30, 1975, the California Furniture Manufacturers Association, stated as follows:

"It is respectfully suggested that the proceeding be terminated. When the changed circumstances stabilize sufficiently, an appropriate new investigation should be considered. As indicated, we believe that the interested parties generally believe that such dismissal is appropriate, and we have been specifically authorized to inform you that the California Trucking Association, representing carrier interests, specifically endorses our recommendation."


The Commission concludes that the proceedings herein should be discontinued and that a new proceeding should be commenced when the Commission staff or other interested parties are prepared to present evidence with respect to the establishment or adjustment of rates on uncrated new furniture.

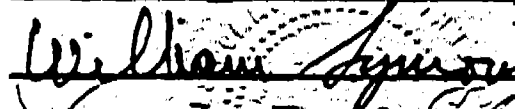
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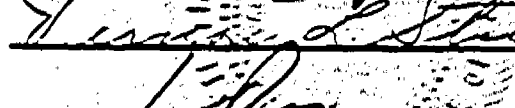
IT IS ORDERED that Order Setting Hearing 151 in Case No. 5603, Order Setting Hearing 211 in Case No. 5439, and Order Setting Hearing 298 in Case No. 5441 are discontinued and proceedings initiated therein are closed.

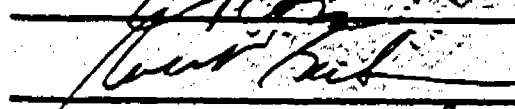
The effective date of this order is the date hereof.

Dated at San Francisco, California, this 26th
day of AUGUST, 1975.



President






Commissioners