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Decision No. 85111

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).

ORIGINAL

Case No. 5437
Petition for Modification
No. 280
(Filed September 30, 1974)

ORDER DENYING RECONSIDERATION

In Petition for Modification No. 280 of Case No. 5437, the California Dump Truck Owners Association sought modification of the commodity description in List A of Item 30 of Minimum Rate Tariff 7-A (MRT 7-A) by including therein "petroleum coke, in bulk". Under the proposal, the distance rock, sand, and gravel rates in MRT 7-A would apply to the transportation of such coke. By Decision No. 84842, an Interim Opinion and Order issued August 26, 1975, the Commission granted the petition on an interim basis pending hearings. The Commission found that conditions pertaining to the transportation of petroleum coke, in bulk, have changed considerably and there is an urgent need for specific rates for the transportation of this commodity.

On September 12, 1975, Allyn Transportation Company (Allyn) filed a petition for reconsideration of Decision No. 84842 and requested that the decision be cancelled pending full hearings on the issues involved.

After considering each and every allegation of petitioner the Commission is of the opinion that good cause for reconsideration has not been shown. In Decision No. 84842, it was clearly noted that this proceeding will remain open for the receipt of

evidence in a full hearing on the issues involved. The petition for reconsideration refers to matters that properly should be heard in the hearing. The Commission stated its reason for the need of an interim order in this proceeding and no showing has been made that the interim order is improper or that the Commission abused its discretion in issuing it.

IT IS ORDERED that reconsideration of Decision No. 84842 is hereby denied.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 12th day of NOVEMBER, 1975.

William L. Sturgeon
President
William L. Sturgeon
L. Ross

Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.