

Decision No. 85404

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Robert J. Falconer,)
dba Falconer Lift Truck Equip. Co.,)
for authority to deviate from the)
Commission's minimum rates for the)
transportation of lift trucks,)
electric storage batteries, and)
machinery between points 250 miles)
of Hayward.)

Application No. 56038
(Filed October 31, 1975)

O P I N I O N

Applicant Robert J. Falconer, doing business as Falconer Lift Truck Equip. Co., a highway contract carrier, seeks authority to deviate from the minimum rates for the transportation of lift trucks, industrial electric storage batteries, and machinery between points within 250 miles of Hayward for six shippers.

A charge of \$22.70 per hour is proposed for service performed between 8:00 a.m. and 4:30 p.m., Monday through Friday (usual working hours), and \$34.05 per hour for services performed at other than usual working hours. The charge for one hour at the applicable rate is proposed as the minimum charge, except for services performed on Saturdays, Sundays, or holidays when a charge for four hours would apply as minimum.

The application contained cost estimates which indicate that the proposed rates would be compensatory. The application was noticed on the Commission's Daily Calendar of November 4, 1975. No objection to granting the application or a request for public hearing has been received.

We find that the favorable circumstances and conditions attendant to the transportation of the commodity involved in this proceeding are not generally present in the usual or ordinary

transportation performed by highway carriers under the governing provisions of MRT 2. Applicant should be authorized to depart from the governing minimum rates as provided in the order which follows.

Since conditions under which the service is performed may change at any time, the authority granted in the ensuing order will expire at the end of one year unless sooner canceled, modified, or extended by order of the Commission.

O R D E R

IT IS ORDERED that:

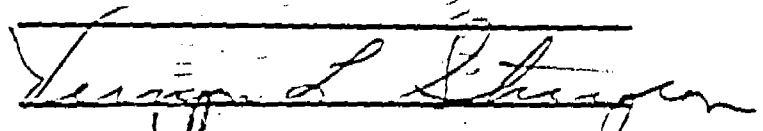
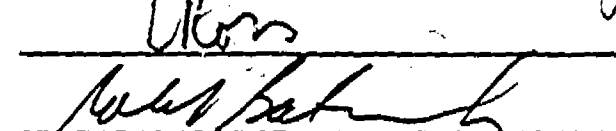
1. Robert J. Falconer, doing business as Falconer Lift Truck Equip. Co., is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 2 by charging those rates set forth in Appendix A of this decision. This authority does not include any deviation from any rates or rules except as specifically set forth in Appendix A.

2. The authority granted shall expire one year after the effective date of this order unless sooner canceled, modified, or extended by order of the Commission.

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

Dated at San Francisco, California, this 5th
day of FEBRUARY, 1976.


President



Commissioners

-2- Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

Commodity: Lift trucks, industrial electric storage batteries,
and machinery.

Shippers: Eaton Corporation, Yale Division
Peterson Tractor Company
Clark Equipment Company
Western Lift Truck
Perin Company
C. Itoh Company

Rates: (a) \$22.70 per hour, minimum charge \$22.70, for
service performed between 8:00 a.m. and 4:30 p.m.,
Monday through Friday.

(b) \$34.05 per hour, minimum charge for service
performed prior to 8:00 a.m. or after 4:30 p.m.,
Monday through Friday and on Saturdays, Sundays,
and holidays.

The minimum charge for service performed
on Saturdays, Sundays, and holidays shall
be \$136.20

Condition: The service subject to the rates named above is
limited to transportation between points within 250
miles of Hayward.