

ORIGINAL

Decision No. 85558

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation  
for the purpose of considering and  
determining minimum rates for trans-  
portation of any and all commodities  
statewide including, but not limited  
to, those rates which are provided  
in Minimum Rate Tariff 2 and the  
revisions or reissues thereof.

And Related Matters.

Case No. 5432  
Petition for Modification  
No. 871  
(Filed November 7, 1975;  
amended December 2, 1975)

Case No. 5439  
Petition for Modification  
No. 260  
Case No. 5441  
Petition for Modification  
No. 348  
Case No. 7783  
Petition for Modification  
No. 126  
(Filed November 7, 1975;  
amended December 2, 1975)

ORDER DENYING RECONSIDERATION  
AND REHEARING

In the above-captioned petitions, California Trucking Association (CTA) sought certain offset increases, along with certain decreases in the rates set forth in Minimum Rate Tariffs (MRTs) 2, 1-B, 9-B, 19 and 15. CTA also requested that the Commission direct its staff to include the effect of changes occasioned by the enactment of Assembly Bill 1352 in its pending studies regarding MRT 2 rates, and to complete its full scale studies of general freight as soon as possible.

On January 13, 1976, the Commission issued Decision No. 85349, an Interim Opinion in which it granted, in part, the ex parte relief requested by CTA, and ordered that public hearing be scheduled for the receipt of evidence regarding the final disposition of the issues raised by CTA's requests.

On January 29, 1976, CTA filed a petition for reconsideration and/or rehearing of Decision No. 85349. In this petition, CTA does not take issue with the relief granted by the Commission in Decision No. 85349, but does take issue with the lack of an order to the Commission staff as requested by CTA in its petitions for modification of the subject MRTs.

We note that CTA does not allege legal error, but rather addresses its request that the Commission exercise its discretion and order the staff to augment and complete its pending studies regarding MRT 2 rates. The staff is actively engaged in a number of different studies of the transportation rates contained in MRT 2. In Decision No. 85349, we recognized the need for a recent and comprehensive cost study, and encouraged all parties to present to the Commission their proposals with regard to improving the current minimum rate structure. Accordingly, we are not of the opinion that a directive as requested by CTA is either appropriate or necessary.

IT IS THEREFORE ORDERED that reconsideration and rehearing of Decision No. 85349 is hereby denied.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 9th day of March, 1976.

2.

William J. Sproule President  
Joseph L. Stungen  
W. J. Sproule  
Robert A. ... Commissioners

Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.