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Decision No. 85866

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Frank O. Culy, Jr.,
F. O. Culy, Sr., and Harold F. Culy
dba Riteway Transportation Company for
the authority to deviate from minimum
rates and charges on shipments from
Modesto to Oxnard on the one hand and
from Oxnard to Modesto on the other
hand for the Procter and Gamble Company
under Section 3666 of the Public
Utilities Code.

Application No. 56078
(Filed November 19, 1975)

SECOND INTERIM OPINION

Decision No. 85302 herein granted interim authority under Section 3666 of the Public Utilities Code to Frank O. Culy, Jr., F. O. Culy, Sr., and Harold F. Culy, doing business as Riteway Transportation Company (Riteway), a highway permit carrier, to depart from the minimum rates for transportation of paper products to be performed for Procter and Gamble Company. That authority is scheduled to expire July 26, 1976.

Applicants were advised by letter dated February 19, 1976 from the Commission's Executive Director that if applicants furnished in the form of a verified statement cost and operational data covering the period commencing the date operations began under the authority granted in Decision No. 85302 through April 30, 1976, consideration would be given to issuance of a final order without hearing. A copy of the verified statement was directed to be served upon California Trucking Association.

By letter dated April 14, 1976 (copy to California Trucking Association) applicants' general manager requests an extension of the period to be covered by the requested cost and operational data to June 30, 1976, in view of interruptions in service beyond control of the carrier. In order to comply with applicants' request the interim authority granted by Decision No. 85302 must be extended beyond its present expiration date in order for the Commission to analyze the data and issue an appropriate final order.

In the circumstances, we find that extension of the interim authority granted in Decision No. 85302 to expire September 26, 1976 is reasonable. Such extension will be granted as there is no known opposition, and the effective date of the order should be the date hereof.

SECOND INTERIM ORDER

IT IS ORDERED that:

1. Frank O. Culy, Jr., F. O. Culy, Sr., and Harold F. Culy, doing business as Riteway Transportation Company, are authorized to transport property for Procter and Gamble Company at rates less than the established minimum rates, as more specifically set forth in Appendix A, attached to Decision No. 85302 and by this reference made a part hereof.

2. The interim authority granted herein shall expire September 26, 1976.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 25th day of 5 MAY, 1976.

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

Commissioner Leonard Ross, being necessarily absent, did not participate in the disposition of this proceeding.

William J. Snow President
Verlan L. Sturgeon
Paul F. Baker Commissioners