

Decision No. 85967

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
tion for the purpose of consid-)
ering and determining minimum)
rates for transportation 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.)

Case No. 5432
Petition for Modification No. 874
(Filed December 9, 1975)

In the Matter of the Investiga-)
tion for the purpose of consid-)
ering and determining minimum)
rates for transportation of)
general commodities within San)
Diego County as provided in)
Minimum Rate Tariff 9-B and the)
revisions or reissues thereof.)

Case No. 5439
Petition for Modification No. 262
(Filed December 9, 1975)

OPINION AND ORDER

By these petitions, James Francis Deery, doing business as The Great Delivery Machine, seeks exemption from the minimum rates and rules named in Minimum Rate Tariffs 2 and 9-B for the "courier type" transportation of checks, drafts, securities, certain business records and documents and other articles.

The petitions are based on special circumstances and conditions detailed therein.

The petitions were listed on the Commission's Daily Calendar of December 11, 1975. No objection to the granting of the petitions has been received.

In the circumstances, the Commission finds that petitioner intends to engage in a courier transportation service for which competing highway carriers have heretofore been exempted from the

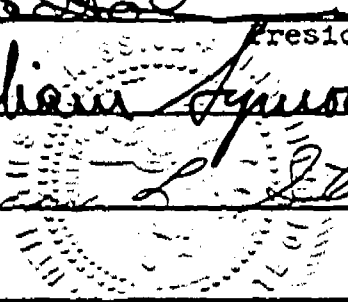
otherwise governing minimum rates and petitioner's request for similar relief has been shown to be justified. A public hearing is not necessary. The Commission concludes that the petitions should be granted as set forth in the ensuing order and the effective date of this order should be the date hereof because there is an immediate need for this rate relief.

IT IS ORDERED that:

1. James Francis Deery, doing business as The Great Delivery Machine, is exempted from the otherwise governing provisions of Minimum Rate Tariffs 2 and 9-B when engaged in the courier transportation of checks, drafts, securities, transit items, escrow, business records, mortgage papers, legal documents, architects' plans, audio tapes, video tapes, radio and television commercial copy and graphic advertising material when transported in motor vehicles not exceeding a licensed weight of 4,500 pounds and excluding transportation subject to weekly, monthly or yearly vehicle unit rates.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 15th day of June, 1976.


William Lyons Jr. President
Vernon L. Sturgen
Robert Bakum Commissioners

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