

ORIGINAL

Decision No. 86079

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. 896
 (Filed June 3, 1976)

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. 278
 (Filed June 3, 1976)

INTERIM OPINION AND ORDER

By these petitions, Norco Delivery Service, Inc., a corporation, 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, certain business records, drugs, medical laboratory specimens and related items. Petitioner also proposes to deviate from the minimum rates in said tariffs in connection with the transportation of parcels and packages exceeding 10 pounds but not exceeding 100 pounds between points in Los Angeles Basin Territory and San Diego County.¹

¹ The present and proposed charges for representative parcel and package shipments are:

| Weight of Shipment In Pounds | (1) Present Charges In Dollars | Proposed Charges In Dollars |
|---------------------------------|-----------------------------------|--------------------------------|
| 25 | \$5.50 | \$4.00 |
| 50 | 6.65 | 5.00 |

(1) Surcharges of 4½% and 1% are applicable.

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

Revenue and expense data submitted by petitioner indicate that the transportation involving parcels and packages may reasonably be expected to be profitable under the proposed rates.

The petitions were listed on the Commission's Daily Calendar of June 4, 1976. 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. The Commission also finds that petitioner's proposed parcel and package rates are reasonable. The sought exemption for the transportation of shipments weighing 10 pounds or less, in vehicles not exceeding a licensed weight of 4,500 pounds in the Los Angeles Basin Territory and the County of San Diego, has not been justified and should not be authorized on an ex parte basis. Since the aforementioned exemption cannot be granted immediately, the parcel and package rates for shipments exceeding 10 pounds but not exceeding 25 pounds should be allowed to apply to those shipments of 10 pounds or less.

The Commission concludes that the petitions should be granted to the extent indicated in the ensuing order and the effective date of this order should be the date hereof because there is an immediate need for the authorized rate relief.

IT IS ORDERED that:

1. Norco Delivery Service, Inc., a corporation, is exempted from the otherwise governing provisions of Minimum Rate Tariffs 2 and 9-3 when engaged in the courier transportation of:

- a) Checks, drafts, money orders, data processing documents, legal documents, sales audit items, business records and statements, tabulation cards, securities and reproduced documents or data, and
- b) Specimens for medical laboratory examination, individual units of whole blood, X-ray photographs, medical documents and forms, drugs, medicines, specimen envelopes, glass slides and containers when transported in vehicles not exceeding a licensed weight of 4,500 pounds.

2. Norco Delivery Service, Inc., a corporation, is authorized to perform the transportation shown in Appendix A attached hereto and by this reference made a part hereof at not less than the rates set forth therein.


3. The authority granted in Ordering Paragraph 2 shall expire one year after the effective date of this order unless sooner cancelled, modified or extended by further order of the Commission.


4. Public hearing shall be scheduled on these petitions at a date to be set in connection with petitioner's sought exemption for the transportation of shipments weighing ten pounds or less in the Los Angeles Basin Territory and in the County of San Diego in vehicles not exceeding a licensed weight of 4,500 pounds.


C. 5432 (Pet. 896) and C. 5439 (Pet. 278) - GJW


The effective date of this order is the date hereof.

Dated at San Francisco, California, this 1th day of
July, 1976.



President






Commissioners

APPENDIX A
(PAGE 1 OF 2)

NORCO DELIVERY SERVICE, INC., a corporation, is authorized to transport parcels and packages not exceeding 100 pounds subject to the following rates, rules and conditions:

- (1) Shipments, not subject to conditions named in Paragraph 2 or 3 set forth below, shall be assessed the following charges (subject to Notes 1 and 2):

| Weight of Shipment In Pounds | | Charges |
|---------------------------------|---------------------|-------------------|
| <u>Over</u> | <u>But Not Over</u> | <u>In Dollars</u> |
| 0 | 25 | \$4.00 |
| 25 | 50 | \$5.00 |
| 50 | 75 | \$6.00 |
| 75 | 100 | \$7.00 |

Note 1. Applicable within the Los Angeles Basin Territory or San Diego Territory.

Note 2. The shipments shall not be subject to documentation rules as published in Minimum Rate Tariff 2 or 9-B.

- (2) For shipments subject to a minimum of 50 stops per day when the point of origin and all points of delivery are within the Los Angeles Basin Territory, a charge of \$1.25 per delivery shall be assessed (subject to Notes 1 and 2).

Note 1: Not subject to the documentation or split delivery rules of Minimum Rate Tariff 2.

Note 2: Any shipment delayed more than 15 minutes after time of arrival will be assessed an additional charge of \$2.00 per one quarter hour or fraction thereof until delivery is completed.

- (3) For shipments subject to a minimum of 50 stops per day when the point of origin and all points of delivery are within the San Diego Territory, a charge of \$1.75 per delivery shall be assessed (subject to Note 1).

Note 1: Any shipment delayed more than 15 minutes after time of arrival will be assessed an additional charge of \$2.00 per one quarter hour or fraction thereof until delivery is completed.

- (4) Rates will apply only when the point of origin and the point of destination are both within one of the territories named and described below:
 - (A) Los Angeles Basin Territory, as described in Item 270 series of Minimum Rate Tariff 2.
 - (B) San Diego Territory, all points and places within the County of San Diego.
- (5) Applicant has not indicated that subhaulers will be engaged nor have any costs of subhaulers been submitted. Therefore, if subhaulers are employed, they shall be paid no less than the rates authorized herein.
- (6) In all other respects, the rates and rules set forth in Minimum Rate Tariff 2 or 9-B shall apply.

(END OF APPENDIX A)

(PAGE 2 OF 2)