

ORIGINAL

Decision No. 86173

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Applica-)
tion of William T. Simmons, dba)

KAY'S PARCEL SERVICE)

for authority to deviate from)
the minimum rates, rules and)
regulations of Minimum Rate)
Tariff 2, pursuant to the pro-)
visions of Section 3666 of the)
Public Utilities Code.)Application No. 56447
(Filed April 29, 1976)OPINION AND ORDER

By this application, William T. Simmons, doing business as Kay's Parcel Service, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of shipments weighing less than 100 pounds between points within 50 miles of Menlo Park.¹

The application is based on special circumstances and conditions detailed therein.

Revenue and expense data submitted by applicant indicate that the transportation involved may reasonably be expected to be profitable under the proposed rates.

The application was listed on the Commission's Daily Calendar of May 3, 1976. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that applicant's proposal is reasonable to the extent hereinafter indicated. The sought credit rule relief has not been justified and will not be authorized. A public hearing is not

¹ The present and proposed minimum charges for a fifty pound shipment are \$7.34 and \$3.60, respectively.

necessary. The Commission concludes that the application 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 relief.

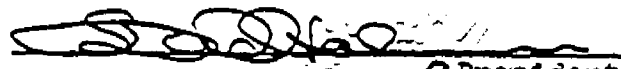
IT IS ORDERED that:

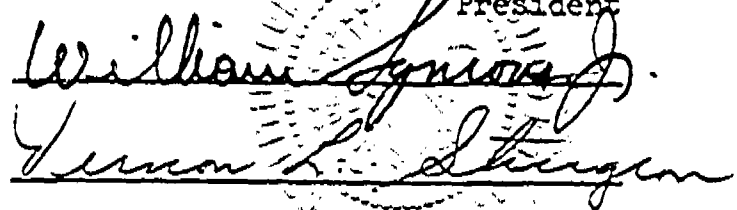
1. William T. Simmons is authorized to perform the transportation shown in Appendix A attached hereto and by this reference made a part hereof at not less than the rates set forth therein.

2. The authority granted herein shall expire with December 31, 1976, unless sooner cancelled, modified or extended by further order of the Commission.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 27th day of July, 1976.



President


Commissioners

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

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

William T. Simmons, doing business as Kay's Parcel Service, is authorized to transport shipments weighing less than 100 pounds between points within a radius of 50 miles of Menlo Park. The charges are as follows:

<u>Weight</u> (In Pounds)		<u>Charge</u>
<u>Over</u>	<u>But Not Over</u>	<u>(In Cents)</u>
0	18	165
18	23	190
23	28	210
28	33	235
33	38	260
38	43	285
43	50	360

The above charges are subject to the following conditions:

- 1) Maximum weight per package shall be 50 pounds.
- 2) A charge shall be assessed for each package based upon its individual weight.
- 3) Maximum size per package will be 108 inches, length and girth combined, subject to a maximum length of eight feet.
- 4) Packages measuring over 84 inches in length and girth combined will be charged for on the basis of actual weight or 25 pounds, whichever is greater.
- 5) The charges set forth above do not apply to transportation of shipments weighing less than 100 pounds within the San Francisco Territory consisting of property transported to or from a terminal of a passenger stage corporation and having a prior or subsequent movement as an express shipment.

- 6) The charges shall apply only when the released or declared value is 50 cents per pound or less, and the maximum value per package or article is \$25 or less.
- 7) C.O.D. shipments will not be accepted.
- 8) The charges herein shall not apply to same-day delivery services.
- 9) 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.
- 10) In all other respects, the rates and rules set forth in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)