

Decision No. 86241

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of ADAMS DELIVERY SERVICE, INC.,  
a California corporation, for  
authority to depart from the  
provisions of Minimum Rate Tariff 2.

Application No. 55645

SUPPLEMENTAL OPINION

By Decision No. 85216 dated December 9, 1975, in the instant application, Adams Delivery Service, Inc. (Adams) was authorized to deviate from the minimum rates set forth in Minimum Rate Tariff 2 for the transportation of drugs and sundries in shipments weighing 100 pounds or less from its terminal in Hayward to various points in California. The rates authorized apply as proportional rates in connection with the transportation of shipments having had an immediate prior movement by a highway carrier as part of a unitized shipment weighing not more than 2,500 pounds.

On May 11, 1976, Adams filed a petition to modify the authority granted by Decision No. 85216 to eliminate the 2,500 pound maximum limit of the unitized shipment. The petition discloses that certain shippers are unable to utilize the services of Adams because of the weight limitations. The petition further discloses that Adams' terminal is now located in Oakland.

The petition was served upon the California Trucking Association and appeared on the Commission's Daily Calendar of May 12, 1976. No objections to the granting of the petition have been received.

The staff of the Commission's Transportation Division has reviewed the petition and recommends it be granted by ex parte order in the absence of protest.

The Commission finds that the proposed modification of the authority set forth in Decision No. 85216 is reasonable.

The Commission finds that Decision No. 85216 should be amended as proposed by applicant and should be amended to authorize the rates from Adams' terminal in Oakland rather than Hayward. The Commission concludes that the effective date of the ensuing order should be the date hereof, as there is no known opposition and there is no reason to delay granting the relief requested.

SUPPLEMENTAL ORDER

IT IS ORDERED that:

1. Appendix A of Decision No. 85216 is amended by incorporating therein Revised Page 1 attached hereto in revision of Page 1.
2. In all other respects Decision No. 85216 shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 10<sup>th</sup>  
day of AUGUST, 1976.

William Synovis, Jr. President  
Vernon L. Stetson  
Leonard Ross

Commissioners

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

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

APPENDIX A  
Revised Page 1 of 6

Adams Delivery Service, Inc.  
A California Corporation

Application

1. The rates set forth herein are applicable only to the transportation of drugs and sundries in shipments weighing 100 pounds or less between points set forth herein. No shipment may contain more than one package or piece.
2. The rates set forth herein apply only from the terminal of Adams Delivery Service, Inc., Oakland, as proportional rates in connection with the transportation of packages having had an immediate prior movement by highway carrier as part of a unitized shipment containing not less than 50 individual packages for subsequent reshipment by Adams Delivery Service, Inc.
3. The provisions hereof will not apply when Adams Delivery Service, Inc. provides pickup service in connection with any shipment or package transported.

Rules

1. The rates herein apply only when the released value or declared value is 50 cents per pound or less, and the maximum value per package or article is \$50 or less.
2. Except that the provisions of Items 176 through 179 will not apply, and except as provided herein, shipments transported under the rates herein are subject to all provisions of Minimum Rate Tariff 2.
3. The rates herein do not apply to same-day service. As used herein the term "same-day service" means that no individual package or shipment can be delivered on the same day that it is picked up by any highway carrier as part of the unitized shipment.
4. An additional charge of 85 cents will be assessed for each C.O.D. shipment received for collection.
5. If the carrier is unable to deliver any shipment because of incorrect address, shipper will be assessed a charge of 85 cents for either the subsequent delivery or carrier's attempt to deliver to correct address.
6. All charges must be paid by the shipper.