

86428

Decision No. _____

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)

FINAL 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 September 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 June 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.

Applicants have filed their verified statement containing the cost and operational data referred to above. The data contained in the verified statement show that the transportation of paper products for Procter and Gamble Company has been compensatory and will be compensatory in the future. California Trucking Association has advised the Commission by letter that it has no objection to the granting of the relief sought.

In the circumstances, the Commission finds that there are special circumstances surrounding the transportation of paper products for Procter and Gamble Company; that based on the data furnished in the verified statement the proposed round-trip service can be performed at a profit; and that the proposed charges for the round-trip service will be reasonable.

The Commission concludes that authority should be granted for an additional period of one year from the current expiration date.

FINAL 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 authority granted herein shall expire September 26, 1977.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 21st
day of SEPTEMBER, 1976.

President
William J. ...
Vernon L. ...
Alon ...
Robert Bateman
Commissioners

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