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Decision 89-07-065 JUL 19 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Investigation)
for the purposes of considering and)
determining minimum rates for)
transportation of sand, rock, gravel)
and related items in bulk, in dump)
truck equipment between points in)
California as provided in Minimum)
Rate Tariff 7-A and the revisions)
or reissues thereof.)

) Case 5437, OSH 325
) (Filed April 17, 1985)
) Case 5437, OSH 323
) (Filed October 1, 1984)
) Case 5437, Pet. 329
) (Filed June 6, 1985)

And related matters.)

) Case 9819, OSH 75
) Case 9820, OSH 25
) (Filed April 17, 1985)
) Case 9819, Pet. 79
) Case 9820, Pet. 29
) Case 5432, Pet. 1060
) (Filed June 6, 1985)

ORDER GRANTING STAY OF ORDERING PARAGRAPH
NO. 4 OF D.89-04-086

On May 23, 1989, California Dump Truck Owners Association and California Carriers Association (CDTOA/CCA) filed an application for rehearing of Decision (D.) 89-04-086 (the Decision), in which the Commission adopted new procedures for dump truck deviation applications. We are in the process of considering the allegations raised in that application.

On June 6, 1989, CDTOA/CCA filed a motion to stay the effective date of the Decision's deviation procedures. This motion alleged that implementation of these deviation procedures would cause irreparable harm to CDTOA/CCA's members. While we do not agree with CDTOA/CCA's prediction of serious ill effects from implementation of these procedures, we nevertheless will grant the stay, pending Commission action on CDTOA/CCA's application for rehearing, in order to preserve the status quo until then.

Therefore, good cause appearing,
IT IS ORDERED that:

1. The provisions of Ordering Paragraph No. 4 of D.89-04-086 are stayed pending further order of the Commission.
2. The Executive Director shall serve a copy of this decision on each subscriber to MRTs 7-A, 17-A, and 20.

This order is effective today.

Dated JUL 19 1989, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
Commissioners

Commissioner Patricia M. Eckert,
being necessarily absent, did
not participate.

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.

Victor Weisler
Victor Weisler, Executive Director

Decision 89 07 065

JUL 19 1989

~~CONFIDENTIAL~~

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Investigation for the purposes of considering and determining minimum rates for transportation of sand, rock, gravel and related items in bulk, in dump truck equipment between points in California as provided in Minimum Rate Tariff 7-A and the revisions or reissues thereof.

) Case 5437, OSH 325
) (Filed April 17, 1985)
) Case 5437, OSH 323
) (Filed October 1, 1984)
) Case 5437, Pet. 329
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JOHN B. CHANIAN
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