

Decision 82 10 053 OCT 20 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of BEKINS MOVING & STORAGE CO.
for authority to depart from the
minimum rates, rules and
regulations of Minimum Rate
Tariff No. 4-B, pursuant to the
provisions of Section 3666 of the
Public Utilities Code.

Application 82-02-49
(Filed February 19, 1982;
amended April 13, 1982)

SECOND INTERIM OPINION

By Decision (D.) 82-06-095 dated June 15, 1982, in this proceeding we authorized Bekins Moving & Storage Co. (Bekins) to deviate from the provisions of Minimum Rate Tariff (MRT) 4-B by offering binding estimates to residential shippers. The authority was granted by ex parte action on an interim basis; it is scheduled to expire with December 31, 1982.

During this interim period Bekins was to accumulate data reflecting the results of operations under its binding estimate program for presentation at hearings scheduled in San Francisco on September 13, 1982.

Counsel for Bekins advised the assigned administrative law judge by letter dated August 12, 1982 that negotiations on collective bargaining agreements concerning drivers and helpers had only recently been completed. Consequently, the necessary data for presentation at hearing would not be available until late October or early November. This is because the new labor contracts contain wage scales payable on a time frame, or cubic footage basis. The basis for assessing charges in connection with shipments transported under Bekins' binding estimates is by cubic foot.

Bekins requested that hearing on the application be reset to November 16, and the interim authority extended to expire with March 1, 1983. California Moving and Storage Association (CMSA) was furnished a copy of Bekins' request.

The hearing originally set for September 13 was reset to November 16. CMSA has not objected to the request for a two-month extension of the deviation authority.

The purpose for the original hearing date was frustrated by the late completion of labor negotiations. There might not be sufficient time after completion of hearing on November 16 to issue a final decision before termination of the interim authority on December 31, 1982.

Findings of Fact

1. By D.82-06-095 dated June 15, 1982, Bekins was granted authority to deviate from the provisions of MRT 4-B in connection with shipments transported under binding estimates. The authority is scheduled to expire with December 31, 1982.

2. Bekins has only recently completed labor negotiations involving wage scales payable on a time frame, or cubic footage basis.

3. Charges applicable on Bekins' binding estimate shipments are assessed on a cubic footage basis.

4. Bekins has requested that the authority granted by D.82-06-095 be extended to March 1, 1983, because information for presentation at the hearing originally scheduled for September 13 would not be available. Hearing on the application was reset to November 16, 1982.

Conclusion of Law

Bekins' request for extension of the authority granted by D.82-06-095 should be granted.

SECOND INTERIM ORDER

IT IS ORDERED that the expiration date for the authority granted Bekins Moving & Storage Co. by D.82-06-095 is extended from December 31, 1982 to March 1, 1983.

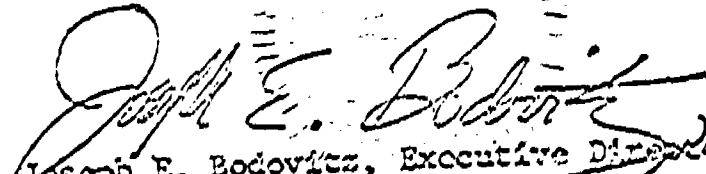
This order becomes effective 30 days from today.

Dated OCT 20 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
LEONARD M. GRIMES, JR.
VICTOR CALVO
Commissioners

Commissioner Priscilla C. Grew,
being necessarily absent, did
not participate

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


Joseph E. Bodovitz, Executive Director