

L/KV:lz

Decision S2 12 092 DEC 15 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
 for the purpose 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)
 revisions or reissues thereof.)

Case 5437
 Petition for Modification 315
 (Filed January 8, 1982)

And Related Matters.)

Case 9819
 Petition for Modification 52
 (Filed January 8, 1982)

Case 9820
 Petition for Modification 20
 (Filed January 8, 1982)

ORDER GRANTING LIMITED REHEARING

An application for rehearing of Decisions (D.) 82-10-028, 82-10-029, and 82-10-030 has been filed by Michael Lindeman, president of Lindeman Brothers, Inc. One of Mr. Lindeman's arguments is that some of the evidence relied on by this Commission when issuing D.82-10-028, D.82-10-029 and D.82-10-030 was gathered after the close of the hearings and not made available to the parties. A review of the record in this case bears out Mr. Lindeman's assertion. For that reason, we believe a limited rehearing should be granted.

Therefore, good cause appearing,

IT IS ORDERED, that rehearing of Decisions 82-10-028, 82-10-029 and 82-10-030 is granted, limited to the issue of 1) the use of Exhibit 6 from Case No. 5437, Petition 314 et al.; 2) the

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use of 1981 annual reports of the 60 carriers listed in Exhibit 6, Case No. 5437, Petition 314 et al.; and 3) the use of this information as the basis of the decisions.

Rehearing is to be held before such Commissioner or Administrative Law Judge at such time and place as shall hereafter be designated.

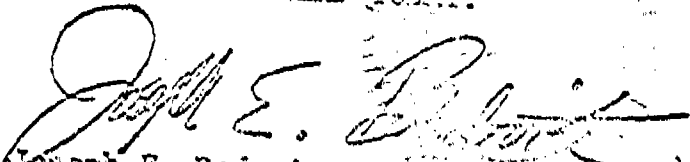
The Executive Director is directed to cause notice of the rehearing to be mailed at least ten (10) days prior to such hearing.

This order is effective today.

Dated DEC 15 1982, at San Francisco, California.

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

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


Joseph E. Bodevitz, Executive Director