

Decision 83 05 063 MAY 18 1983**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Charles D. Tobey,
 doing business as C & M Trucking,
 for authority to deviate from the
 minimum rates and rules established
 for the transportation of Asphaltic
 Concrete in MRT 17-A and MRT 7-A.

Application 82-08-42
 (Filed August 20, 1982;
 amended November 18, 1982
 and May 9, 1983)

ORDER FURTHER EXTENDING INTERIM AUTHORITY

Interim Decision (D.) 82-09-102 dated September 22, 1982, as amended by D.83-01-060 dated January 19, 1983, granted temporary authority to Charles D. Tobey, an individual doing business as C & M Trucking, to charge less than the applicable rates in Minimum Rate Tariffs (MRTs) 7-A and 17-A for the transportation of asphaltic concrete for Huntmix, Inc. from the shipper's new plant in Irwindale to a construction project at Berths 121-126 in Los Angeles Harbor. The decisions provide that the matter will be set for hearing to, among other things, receive evidence regarding performance and cost data experienced by Tobey and subhaulers he engages in providing this transportation. The interim authority expires May 20, 1983.

The amendment to the application filed May 9, 1983 states that because of the unusually heavy rainy season, there has been an additional delay in the delivery and placement of base materials which must be completed before the paving materials can be used. It further states that the delivery of the asphaltic concrete will now commence as soon the base materials are in place and weather permits. Because of this delay, an additional extension of the interim authority is requested.

Finding of Fact

The requested time extension is due to reasons beyond applicant's control and is reasonable.

Conclusions of Law

1. The expiration date should be extended to August 20, 1983.
2. Because the interim authority is scheduled to expire May 20, 1983, the following order should be made effective on the date it is signed.

IT IS ORDERED that:

1. The expiration date of Interim D.82-09-102, as amended by D.83-01-060, is extended to August 20, 1983, unless sooner canceled by the Commission after hearing.

2. In all other respects D.82-09-102, as amended by D.83-01-060, shall remain in full force and effect.

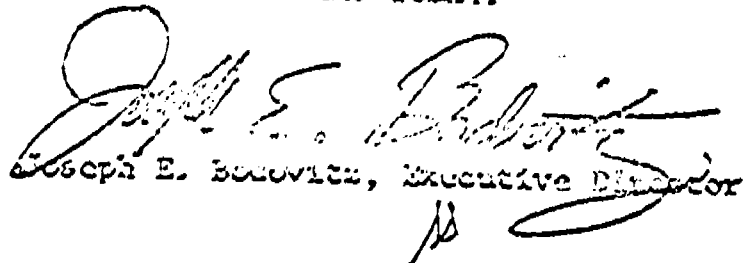
This order is effective today.

Dated MAY 18 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. CREW
DONALD VIAL
Commissioners

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


Joseph E. Borovitz, Executive Director