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Decision No. 86537

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of R. Cali & Bros. for)
authority under Section 3666 of the)
Public Utilities Code of the State)
of California to deviate from the)
minimum rates for the transporta-)
tion of Fibreboard Boxes, OTC, KDF)
for Container Corporation of)
America between Container Corpor-)
ation of America plant, and)
customer points.)

Application No. 56249
(Filed January 30, 1976;
amended April 12, 1976)

ORDER GRANTING REHEARING

On January 30, 1976, R. Cali & Bros. applied for authority to deviate from minimum rates for transportation of certain products from Santa Clara to Fresno County. By Decision No. 85862 issued May 25, 1976, the Commission granted such authority on an interim basis. Decision No. 86265 issued August 17, 1976, amended the prior decision to permit a stop in San Jose. On August 27, 1976, the California Trucking Association petitioned for rehearing of Decision No. 86265.

Having fully reviewed this petition and each and every allegation presented therein, we find that all except one of these allegations are without merit. We do, however, find that Petitioner has raised a substantial issue of due process concerning the provision of notice of the request which led to Decision No. 86265.

IT IS THEREFORE ORDERED that rehearing of Decision No. 86265 is hereby granted, to be held before such Commissioner or Examiner and at such time and place as will hereafter be designated.

IT IS FURTHER ORDERED that rehearing of Decision No. 86265 is to be limited to the following issues:

1. The inclusion of San Jose as a terminus or stop with respect to which Cali is authorized to deviate from minimum rates; and

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2. The extension from December 1, 1976, until June 1, 1977, of the date until which Cali's deviation from minimum rates will be permitted.

The Executive Director is directed to cause appropriate notice of rehearing to be made at least ten (10) days before such rehearing.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 19th day of OCTOBER, 1976.

*I dissent. I would grant rehearing on all issues.
William Synovs J.
Commissioner*

[Signature]
President

[Signature]

[Signature]
Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.