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Decision No. 86752

MRIGINA

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 any and all commodities statewide including, but not limited to. those rates which are provided in Minimum Rate Tariff 2 and the revisions or reissues thereof.

Case No. 5432 Petition for Modification No. 925 (Filed November 3, 1976)

And Related Matters

Cases Nos. 5439 and 5441 Petitions for Modification Nos. 293 and 375, respectively (Filed November 3, 1976)

OPINION AND ORDER

By these petitions, Raymond G. Smart, doing business as West Coast Mail Service, seeks exemption from the minimum rates and rules named in Minimum Rate Tariffs 1-B, 2, 9-B and 19 for the "courier type" transportation of exposed, developed and printed film.

These petitions are based on special circumstances and conditions detailed therein.

The petitions were listed on the Commission's Daily Calendar of November 5, 1976. No objection to the granting of the petitions has been received.

In the circumstances, the Commission finds that petitioner intends to engage in a "courier type" transportation service for which competing highway carriers have heretofore been exempted from the otherwise governing minimum rates and petitioner's request for similar relief has been shown to be justified. For purposes of simplification, the rate exemption granted to petitioner

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C. 5432 (Pet. 925) et al. - gjw

by Decision 82981 will be consolidated with that authorized herein. A public hearing is not necessary. The Commission concludes that the petitions should be granted as set forth in the ensuing order and the effective date of this order should be the date hereof because there is an immediate need for this rate relief.

IT IS ORDERED that:

1. Raymond G. Smart, doing business as West Coast Mail Service, is exempted from the otherwise governing provisions of Minimum Rate Tariffs 1-B, 2, 9-B and 19 when engaged in the "courier type" transportation of:

> Checks, drafts, money orders, securities, transit items, sales audit items, business records, audit media, tabulation cards, data processing materials, legal documents, printed or reproduced documents or data, and exposed, developed and printed film, in vehicles of licensed weight of 4,500 pounds or less and excluding transportation subject to weekly, monthly or yearly vehicle unit rates.

 The authority granted by Decision 82981 is cancelled. The effective date of this order is the date hereof. Dated at San Francisco, California, this Area day of

December, 1976.

Volisent; William Synon

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Commissioners	

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