

ORIGINAL

Decision No. 86909

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
tion for the purpose of consid-)
ering 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. 930
(Filed December 2, 1976)

And Related Matters)

Cases Nos. 5439 and 5441
Petitions for Modification
Nos. 297 and 378, respectively
(Filed December 2, 1976)

OPINION AND ORDER

By these petitions, Continental Courier Service, Inc., a corporation, 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 medical laboratory specimens, photo finishing materials and bookkeeping media.

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

The petitions were listed on the Commission's Daily Calendar of December 6, 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. Petitioner's request that "photo finishing material" be in the sought authority will be clarified by substituting therefor "exposed, developed and printed film." For purposes of simplification, the rate exemption granted by Decision 82140 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. Continental Courier Service, Inc., a corporation, 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:

- a. 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; and
- b. Human and animal specimens, contained in glass or plastic tubes or vials, of whole blood and blood serum for medical laboratory examination; individual units of whole blood; glass slides for microscopic tissue examination; urine and stool specimens; sputum, wound, and other similar cultures; tissue samples for pathological examination; X-ray photographs; medical transmittal documents, and documents reporting results of laboratory examination; and specimen envelopes, laboratory test forms and transmittal containers furnished by medical laboratories to their clients;

when transported in vehicles not exceeding a licensed weight of 4,500 pounds.

2. The authority granted by Decision 82140 is cancelled.
The effective date of this order is the date hereof.

Dated at San Francisco, California, this 15th day of
February, 1977.

I dissent as to the
effective date.
William J. Lyons, Jr.

I dissent only to
the effective date
Vernon L. Sturgeon

Robert Batimich
President

Michael D. Thorne
Commissioners