

ORIGINAL

Decision No. 87288

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Ladytruckers, Ltd., for authority to deviate from certain minimum rates pursuant to Section 3666 of the California Public Utilities Code for transportation performed for Performing Arts Touring Companies. )

Application No. 56976  
(Filed January 3, 1977)

INTERIM OPINION AND ORDER

By this application, Ladytruckers, Ltd, a corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of stage property, sound and lighting equipment, musical instruments, costumes and personal property of touring companies between points in California for the performing arts industry.

The application is based on special circumstances and conditions detailed therein.

Applicant did not submit a profit and loss statement since it obtained a radial highway common carrier permit on November 12, 1976 and commenced operations only recently. California Trucking Association (CTA) in a letter to the Commission, dated February 7, 1977, stated it was not opposed to the granting of the application, if it were granted on an interim basis, during which time applicant would be able to gain actual operating experience and accumulate evidence which would reflect the carrier's actual operating revenues and expenses.

The application was listed on the Commission's Daily Calendar of January 4, 1977. No specific objection to the granting of the application has been received.

In the circumstances, the Commission finds that the applicant's proposed rates are compensatory on an interim basis. Applicant will be expected to produce evidence which will reflect actual operating revenues and expenses for the transportation involved. The Commission concludes that the effective date of this order should be the date hereof because there is an immediate need for this rate relief.

Applicant is placed on notice that, should its operations for the performing arts industry be between fixed termini or over a regular route, it should apply for a highway contract carrier permit.

IT IS ORDERED that:

1. Ladytruckers, Ltd., a corporation, is authorized to perform the transportation shown in Appendix A attached hereto and by this reference made a part hereof at not less than the rates set forth therein.
2. The authority granted herein shall expire one year after the effective date of this order unless sooner cancelled, modified or extended by further order of the Commission.
3. Ladytruckers, Ltd. shall provide the Commission and all parties to this proceeding with the actual operating revenues and expenses specified herein.

A. 56976 - CBB/HK

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 3rd day of MAY, 1977.

I dissent.  
William Synow Jr.  
Commissioner

I dissent only to  
the effective date  
Vernon L. Sturgeon  
Commissioner

Robert B. Kruick  
President

Vernon L. Sturgeon  
Richard W. Gwalt

Commissioners

APPENDIX A  
Ladytruckers, Ltd.,  
a corporation

Ladytruckers, Ltd., a corporation, is authorized to transport stage property, sound and lighting equipment, musical instruments, costumes and personal property, crated and uncrated, for the performing arts industry between all points within California at the following rates:

- A. For Local Movements (less than 400 miles): \$115.00 per day plus 30 cents per mile.
- B. For all movements other than local movements;
  - 1. Twenty-four (24') Box Van ----- \$1.00 per mile
  - 2. Forty (40') Tractor and Trailer -- \$1.50 per mile
 Subject to a Minimum Charge for 500 miles at the applicable rate per mile.

Subject to the following conditions:

- 1. All distances shall be computed in accordance with the rules of Distance Table No. 8, issued by the California Public Utilities Commission, and any amendments or reissues thereof.
- 2. Layovers: If for reasons not ascribable to the carrier, carrier's equipment is required to lay over and that delay is attributable to the consignor, consignee or its designated representative at or near the destination point for completion of unloading, in excess of one (1) day or twenty-four (24) hours, a charge will be made for such layover as follows:
 

Driver(s) -----	\$75.00 per day
Twenty-four (24') Box Van -----	\$75.00 per day
Forty (40') Tractor Trailer -----	\$95.00 per day
- 3. Agreement: Each tour shall be accompanied by a contract between both shipper and carrier setting forth the particulars of route, cargo inventory and price that shall incur in each particular tour. No trip will be undertaken without a specific contract detailing the trip.

A. 56976

4. Applicant has indicated that subhaulers will not be engaged. However if subhaulers are employed, they shall be paid no less than the rates authorized herein without any deduction for use of applicant's trailing equipment.
5. In all other respects the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)