

ORIGINAL

Decision No. 87318

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)	
of Margaret Mattson, dba MATTSON)	Application No. 56764
TRUCKING for authority to deviate)	(Filed September 20, 1976,
from the provisions of <u>Minimum</u>)	Amendment filed
<u>Rate Tariff Number 2</u> , pursuant to)	January 28, 1977, and
the provisions of <u>Section 3666</u>)	Second Amendment filed
of the <u>Public Utilities Code</u> .)	March 25, 1977)

OPINION AND ORDER

By this application, as amended, Margaret Mattson, doing business as Mattson Trucking, requests authority to deviate from the provisions of Minimum Rate Tariff 2 by assessing the common carrier rates of United Parcel Service, Inc., for same-day delivery service in lieu of next-or later-day delivery service.¹ The authority would apply to the transportation of shipments of medicinal drugs and dated materials (newspapers, film, magazines) weighing less than 100 pounds from a single wholesaler, Bergen Brunswick Corporation, in San Bernardino to retailers and hospitals within 150 miles of said city.

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

The application and amendments were listed on the Commission's Daily Calendars of September 20, 1976, January 28, 1977, and March 28, 1977, respectively. California Trucking Association (CTA) objected to the ex parte handling of this matter, stating that the granting of the application will give the applicant "a competitive advantage over not only United Parcel Service, Inc. who is the

¹ Applicant, as set forth in the amendment, proposes to assess charges for the projected services approximately ten to fifteen percent above the current United Parcel Service rates.

A. 56764 - CB/anv #

rate making carrier for parcel delivery service, but also other parcel delivery carriers in southern California with whom applicant competes and who are restricted against same day service". The Commission has been informed by a letter, attached to the Second Amendment, dated March 15, 1977, from the carrier's shipper, Bergen Brunswick Corporation that no other carrier presently is willing to provide such service between the points involved.

Revenue and expense data submitted by applicant are sufficient to determine that the transportation involved may reasonably be expected to be profitable under the proposed rates.

Recently authorities were granted to two carriers which are similar to the authority applicant seeks.²

Should an application be filed by any other carrier seeking similar authority for services performed in the area involved herein, it will be given prompt attention.

In the circumstances, the Commission finds that:

1. Applicant's proposal is reasonable to the extent hereinafter indicated.

2. It may reasonably be expected that the pickup and delivery of shipments on the same day will diminish deadheading and layover expenses and result in corresponding savings to applicant.

3. The immediate needs of hospitals and pharmacies will be greatly enhanced by applicant's proposed same-day delivery services.

4. By providing same-day delivery services for the transportation of drugs, applicant's security problems involved in storing the commodities at her freight dock will be minimized.

²See Decision 84643, in Application 56659, dated October 5, 1976 and Decision 86904, in Application 56712, dated February 1, 1977, respectively.

A. 56764 - CB/anv

5. The proposal will enable applicant to contribute to the conservation of fuel.

6. A public hearing is not necessary.

The Commission concludes that the application 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. Margaret Mattson 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 this Commission.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 10th day of MAY, 1977.

I dissent as to the effective date.

William J. Aguirre, Jr.
Commissioner

Robert Bafnirich
President

Vernon L. Sturgeon
Gilbert D. Smith

Commissioners

APPENDIX A
MARGARET MATTSON
(doing business as
MATTSON TRUCKING)

Margaret Mattson is authorized to transport drugs and dated material (newspaper, magazines and film) in shipments of less than 100 pounds from Bergen Brunswick Corporation, San Bernardino to retailers and hospitals within 150 miles of said city. The rates to be assessed and charges to be collected shall be those set forth below, but shall be not less than those as published in United Parcel Service, Inc., Local Parcel Tariff, Cal.P.U.C. No. 20, and any revisions or reissues thereof:

<u>POUNDS</u> <u>BUT NOT</u>			<u>POUNDS</u> <u>BUT NOT</u>			<u>POUNDS</u> <u>BUT NOT</u>		
<u>OVER</u>	<u>OVER</u>	<u>CHARGE</u> <u>In Cents</u>	<u>OVER</u>	<u>OVER</u>	<u>CHARGE</u> <u>In Cents</u>	<u>OVER</u>	<u>OVER</u>	<u>CHARGE</u> <u>In Cents</u>
0	20	188	46	47	350	72	73	570
20	21	194	47	48	356	73	74	576
21	22	200	48	49	362	74	75	582
22	23	206	49	50	368	75	76	588
23	24	212	50	51	438	76	77	594
24	25	218	51	52	444	77	78	600
25	26	224	52	53	450	78	79	606
26	27	230	53	54	456	79	80	612
27	28	236	54	55	462	80	81	618
28	29	242	55	56	468	81	82	624
29	30	248	56	57	474	82	83	630
30	31	254	57	58	480	83	84	636
31	32	260	58	59	486	84	85	642
32	33	266	59	60	492	85	86	648
33	34	272	60	61	498	86	87	654
34	35	278	61	62	504	87	88	660
35	36	284	62	63	510	88	89	666
36	37	290	63	64	516	89	90	672
37	38	296	64	65	522	90	91	678
38	39	302	65	66	528	91	92	684
39	40	308	66	67	534	92	93	690
40	41	314	67	68	540	93	94	696
41	42	320	68	69	546	94	95	702
42	43	326	69	70	552	95	96	708
43	44	332	70	71	558	96	97	714
44	45	338	71	72	564	97	98	720
45	46	344				98	99	726

Subject to the following:

1. Minimum charge: \$1.88 per package
2. Same-day delivery service may be performed under this authority.

(END OF APPENDIX A)