

ORIGINAL

Decision No. 87356

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
tion into the rates, rules, re-)
gulations, charges, allowances)
and practices of all common)
carriers, highway carriers and)
city carriers relating to the)
transportation of property in the)
City and County of San Francisco,)
and the counties of Alameda,)
Contra Costa, Lake, Marin,)
Mendocino, Monterey, Napa, San)
Benito, San Mateo, Santa Clara,)
Santa Cruz, Solano and Sonoma)

Case No. 5441
Petition for Modification
No. 382
(Filed January 28, 1977)

OPINION AND ORDER

Patrick L. Barnes, doing business as Barnes' Package Express Service, operates as a highway permit carrier. By this petition, he seeks exemption from the minimum rates in Minimum Rate Tariff 1-B for the transportation of mail within the East Bay Drayage Area.¹

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

The petition was listed on the Commission's Daily Calendar of February 1, 1977. No objection to the granting of the petition 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

¹Items 50, 60 and 70 of Minimum Rate Tariff 1-B describe the metes and bounds of this area.

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the otherwise governing minimum rates and petitioner's request for similar relief has been shown to be justified. A public hearing is not necessary. The Commission concludes that the petition 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:

Patrick L. Barnes is exempted from the otherwise governing provisions of Minimum Rate Tariff 1-B when engaged in the "courier type" transportation of property to United States Post Offices for mailing and United States mail from post offices to the addressees thereof in vehicles not exceeding a licensed weight of 4,500 pounds.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 17th day of

MAY, 1977.

Robert Baturic

President

William J. ...

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Commissioners