

Decision No. 87435

June 7, 1977

ORIGINAL

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. 954  
(Filed March 25, 1977)

And Related Matters )

Cases Nos. 5439 and 5441  
Petitions for Modification  
Nos. 308 and 390, respectively  
(Filed March 25, 1977)

OPINION AND ORDER

By these petitions, Francis G. Reiff, doing business as Medical Courier Services, 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 and other medically related articles.<sup>1</sup>

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

The petitions were listed on the Commission's Daily Calendar of March 28, 1977. California Trucking Association requested that these petitions be consolidated for public hearing with the Commission's investigation of the subject of courier transportation in its OSH 922 in Case 5432, et al.

Petitioner's proposal is not unlike approximately 35 other similar requests which have been granted and should not be delayed pending CTA's suggestion.

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<sup>1</sup> Petitioner, by letter dated April 7, 1977, requested that Petition 308 in Case 5439 be dismissed inasmuch as he does not operate in San Diego County.

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. A public hearing is not necessary. The Commission concludes that the petitions should be granted to the extent indicated 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. Francis G. Reiff is exempted from the otherwise governing provisions of Minimum Rate Tariffs 1-B, 2 and 19 when engaged in the "courier type" transportation of:

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 examinations; 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. Petition for Modification 306 in Case 5439 is dismissed without prejudice.

C. 5432 (Pet. 954), et al. - HAH/cab

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 7<sup>th</sup> day of JUNE, 1977.

*Robert Belmont*

President

*I dissent.*  
*William J. Quinn*  
Commissioner

*Samuel L. Sturgeon*

*Robert D. Howell*

Commissioners