

Decision No. 87525 June 28, 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of CHICHESTER TRANSPORTATION CO., INC., a California corporation, for authority to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of certain commodities, for the account of Libby, McNeill & Libby pursuant to the provisions of Section 3666 of the California Public Utilities Code.

Application No. 56498
(Filed May 24, 1976)

Michael C. Leiden and E. H. Griffith, for Chichester Transportation Co., Inc., applicant.
Harold F. Culy, for Bayview Trucking Inc., protestant.
C. D. Gilbert and H. W. Hughes, for California Trucking Association, interested party.
Everest A. Benton, for the Commission staff.

ORDER OF DISMISSAL

By Decision No. 85985 dated June 2, 1976 Chichester Transportation Co., Inc. was granted interim authority, pending hearing, to deviate from the minimum rates governing the transportation of cans, can ends, canned goods, tin plates, and pallets from and to various northern California points. The interim authority, which was initially scheduled to expire with January 1, 1977, was extended to July 1, 1977 by Decision No. 86635, issued November 16, 1976 in this proceeding.

Due to extenuating circumstances, applicant was unable to sustain its required burden proof at the public hearing of Application

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No. 56498 held on March 3, 1977 before Examiner Gagnon at San Francisco. Accordingly, the matter was continued to a date to be set.

Upon applicant's written request after hearing,

IT IS ORDERED that Application No. 56498 is dismissed and Decision No. 86635 is rescinded.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 28th day of JUNE, 1977.

Robert Bateman
President
William G. Gagnon, Jr.
Yves L. Sturgeon
Richard D. Gagnon

Commissioners