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ORIGINAL

Decision No. 87557 July 6, 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
FRANK'S TRUCKING for authority to)
depart from the minimum rates,)
rules, and regulations of Minimum)
Rate Tariff No. 2, pursuant to the)
provisions of Section 3666 of the)
Public Utilities Code.)

Application No. 56766

In the Matter of the Investigation)
for the purpose of considering 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. 919

ORDER VACATING DECISION NO. 86938

By Decision No. 86585 dated October 26, 1976 Frank's Trucking was authorized to establish less than maximum reasonable rates for the transportation of plain, coated, lacquered, painted, lithographed or printed tin mill black plate, tin plate, terne plate, or chrome plated black plate; and steel, tin, or aluminum can ends (in mixed shipments) from Pittsburg to Sacramento or Lodi; and the aforementioned commodities and aluminum plate or sheet from Pittsburg to San Leandro or San Jose; and as a highway permit carrier, to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of aluminum plate or sheet and can ends (in straight shipments) from Pittsburg to Sacramento and Lodi and can ends (in straight shipments) from Pittsburg to San Leandro and San Jose for Continental Can Company.

A.56766, C.5432, Pet. 919 dz

By Decision No. 86938 dated February 1, 1977 partial rehearing of Decision No. 86565 was granted limited to a reconsideration of the record (as it exists or as it may be supplemented in the discretion of the assigned Commissioner and Administrative Law Judge) for the purposes of determining (1) whether or not the granting of a less than a maximum reasonable rate to this applicant is required by the needs of commerce or the public interest, and (2) whether or not it is designed to meet the competitive charges of other carriers or the cost of other means of transportation.

By Decision No. 87181 dated April 5, 1977 in Application No. 56589 the highway common carrier certificate issued to Frank's Trucking was amended to exclude the following transportation:

Plain, coated, lacquered, painted, lithographed or printed, N.O.I. tin mill black plate, tin plate, terne plate, or chrome plated black plate; aluminum plate or sheet; originating at Pittsburg, California, except when interlined with water, rail, or motor carrier for further transportation.

As a result, the less than maximum reasonable rates authorized by Decision No. 86525 were canceled effective June 7, 1977.

A.56766, C.5432, Pet. 919 dz

The purposes of the partial rehearing of Decision
No. 86565 having become moot,

IT IS ORDERED that Decision No. 86938 is vacated.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 6th
day of JULY, 1977.

Robert B. Baker

President

William S. Quinn

Thomas L. Stinson

Richard D. Hoyle

Commissioners