

ORIGINAL

Decision No. 87590 July 12, 1977

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. 968  
(Filed April 25, 1977)

In the Matter of the Investiga- )  
tion for the purpose of consid- )  
ering and determining minimum )  
rates for transportation of )  
general commodities in the )  
Counties of Contra Costa, Lake, )  
Marin, Mendocino, Monterey, )  
Napa, San Benito, San Mateo, )  
Santa Clara, Santa Cruz, Solano )  
and Sonoma, and in the County )  
of Alameda and in the City and )  
County of San Francisco as )  
provided in Minimum Rate Tariffs )  
1-B and 19 respectively, and )  
the revisions or reissues there- )  
of. )

Case No. 5441  
Petition for Modification  
No. 395  
(Filed April 25, 1977)

OPINION AND ORDER

By these petitions, Robert V. Gross, doing business as Bomar Mail Delivery Service, requests authority to deviate from the provisions of Minimum Rate Tariffs 1-B and 2 in connection with the transportation of parcels weighing one hundred pounds or less between bus depots and locations of shippers in the territory encompassed by the East Bay Metropolitan Zone Group, the Hayward-Milpitas Metropolitan Zone Group and the San Jose Metropolitan Zone Group.

The petitions were listed on the Commission's Daily Calendar of April 27, 1977. No objection to the granting of the petitions has been received.

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

In the circumstances, the Commission finds that petitioner's operations involved herein are of a specialized nature differing substantially from those for which the established minimum rates were primarily designed and the proposed rates are reasonable for the transportation in question. A public hearing is not necessary. The Commission concludes that the petitions 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. Robert V. Gross 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 charges 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 the Commission.

The effective Date of this order is the date hereof.

Dated at San Francisco, California, this 12<sup>th</sup> day of JULY, 1977.

*I dissent -  
William Lyons Jr.*

Robert Batimuel  
President

Yuzon L. Sturgeon  
Richard D. Gwally

Commissioner CLAIRE T. DEDRICK did not participate in the disposition of this proceeding.

Commissioners

## APPENDIX A

Robert V. Gross, doing business as Bomar Mail Delivery Service, is authorized to transport shipments weighing one hundred pounds or less at a charge of \$1.35 per package or article, between bus depots and locations of shippers in the territory encompassed by the East Bay Metropolitan Zone Group (MZ 108, 109, 110, 111, 113 and 114), the Hayward-Milpitas Zone Group (MZ 115 through MZ 122) and the San Jose Metropolitan Zone Group (MZ 123 through MZ 134), subject to the following conditions:

CONDITIONS:

1. The metropolitan zone groups and metropolitan zones referred to herein are those described in Distance Table 8.
2. Shipments are to be transported from or to a terminal of a passenger stage corporation and have prior or subsequent movements as express shipments.
3. Maximum weight per parcel shall be 100 pounds.
4. The above charge shall be assessed for each individual package or article.
5. The above charge shall not apply to same-day delivery services.
6. Freight bills shall be presented to the debtors not later than one month following delivery of the freight.
7. Applicant has not indicated that subhaulers will be engaged nor have any cost of subhaulers been submitted. Therefore, if subhaulers are employed, they shall be paid no less than the rates authorized herein, without any deduction for use of applicant's trailing equipment.

C. 5432, Pet. 968 & C. 5441 (Pet. 395)

APPENDIX A

8. In all other respects, the rates and rules set forth in Minimum Rate Tariff 1-B or 2, as the case may be, shall apply.

(END OF APPENDIX A)