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ORIGINAL

Decision No. 88069 NOV 1 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

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

SUPPLEMENTAL OPINION AND ORDER

By Decision 87590, dated July 12, 1977, Robert V. Gross, doing business as Bomar Mail Delivery Service, was granted 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.

By Petition for Modification of Decision 87590, filed August 8, 1977, Robert V. Gross requests that wording in Appendix A

of Decision 87590 (and as shown in paragraph VIII of the petition) " ... to assess a charge of not less than \$1.35 per package or article ..." be changed to read "... \$1.35 per shipment ..." In addition applicant requests that the restriction against same day delivery service be removed. This would make him competitive with Bus Delivery Service, Barnes Package Express and others that presently have the authority to perform same day delivery.

The above mentioned authority will be amended accordingly.

IT IS ORDERED that:

1. Robert V. Gross is authorized to perform transportation as described in Appendix A, attached hereto and by this reference made a part hereof, at not less than the rates, rules, and charges specified therein.
2. The authority granted herein is in lieu of the authority granted by Decision 87590 and shall expire with July 13, 1978, unless sooner cancelled, modified, or extended by further order of the Commission.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 1st day of NOVEMBER, 1977.

Robert B. Brown
President

I dissent.
William Gross, Jr.

Vermon L. Sturgeon
Richard W. Givale
Clare L. Delrial
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 shipment, 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 shipment not to exceed a total weight of 100 pounds.
5. Freight bills shall be presented to the debtors not later than one month following delivery of the freight.
6. Applicant has not indicated that subhaulers will be engaged nor have any costs 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.
7. 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)