

Decision No. 88494 FEB 7 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Crest-Orbit De-)
 livery, Inc. for authority to)
 deviate from Item 530, MRT 2,)
 1-5 miles (0 to 25 lbs.) to)
 shippers, as provided under the)
 provisions of Section 3666 of)
 the Public Utilities Code.)

Application No. 57743
 (Filed December 14, 1977)

OPINION AND ORDER

By this application Crest-Orbit Delivery, Inc. (Crest), a California corporation, seeks authority to deviate from the provisions of Minimum Rate Tariff 2 (MRT 2) in connection with the transportation of shipments weighing 25 pounds or less by small motorbikes (under 100 c.c.) between points within the downtown Los Angeles area which is located in Metropolitan Zones 228 and 229 as defined in the Distance Table.

Applicant is presently operating in the above area using small motorbikes (under 100 c.c.) transporting shipments that are exempt under the 10-pound exemption in Item 42 of MRT 2. Applicant states that its customers (large law firms, banks, newspapers, custom-house brokers, corporate headquarter's offices, etc.,) are asking that Crest transport shipments exceeding 10 pounds in weight for pickup and delivery in the downtown area.

Applicant states that the minimum rates set forth in MRT 2 are not designed for operations in connection with transportation by small motorbikes.

Since the applicant must of necessity compete with other carriers previously authorized by the Commission to assess rates which are at variance with the charges established in MRT 2, it seeks herein similar rate relief to assess charges which are basically in accord with those charges now being assessed by the above-described carriers pursuant to authority of this Commission.

The Commission finds that:

1. The rates, rules and charges named in MRT 2 are not appropriate, reasonable, or otherwise proper for the motorbike service performed by Crest-Orbit Delivery, Inc.

2. The sought deviation from the otherwise governing provisions of MRT 2 for the transportation of shipments weighing 25 pounds or less at rates and charges not less than those specified in Appendix A hereof has been shown to be reasonable.

3. A public hearing is not necessary.

The Commission concludes that Application 57743 should be granted to the extent 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.

The application was listed on the Commission's Daily Calendar of December 16, 1977. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that applicant's proposal is reasonable. A public hearing is not necessary.

IT IS ORDERED that:

1. Crest-Orbit Delivery, Inc., 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 rates set forth herein.

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 7th
day of FEBRUARY, 1978.

I dissent.

William Lyons, Jr.

Robert Bateman
President

Vernon L. Sturgeon
Charles W. Howell
Clare J. DeSisti
Commissioners

APPENDIX A

Crest-Orbit Delivery, Inc., is authorized to transport shipments weighing 0-25 pounds by small motorbikes (under 100 c.c.) between points, not exceeding 5 miles, within the downtown Los Angeles area which is located in Metropolitan Zones 228 and 229 as defined in the Distance Table between or within Zones 1 or 2 at the following charges (See Note).

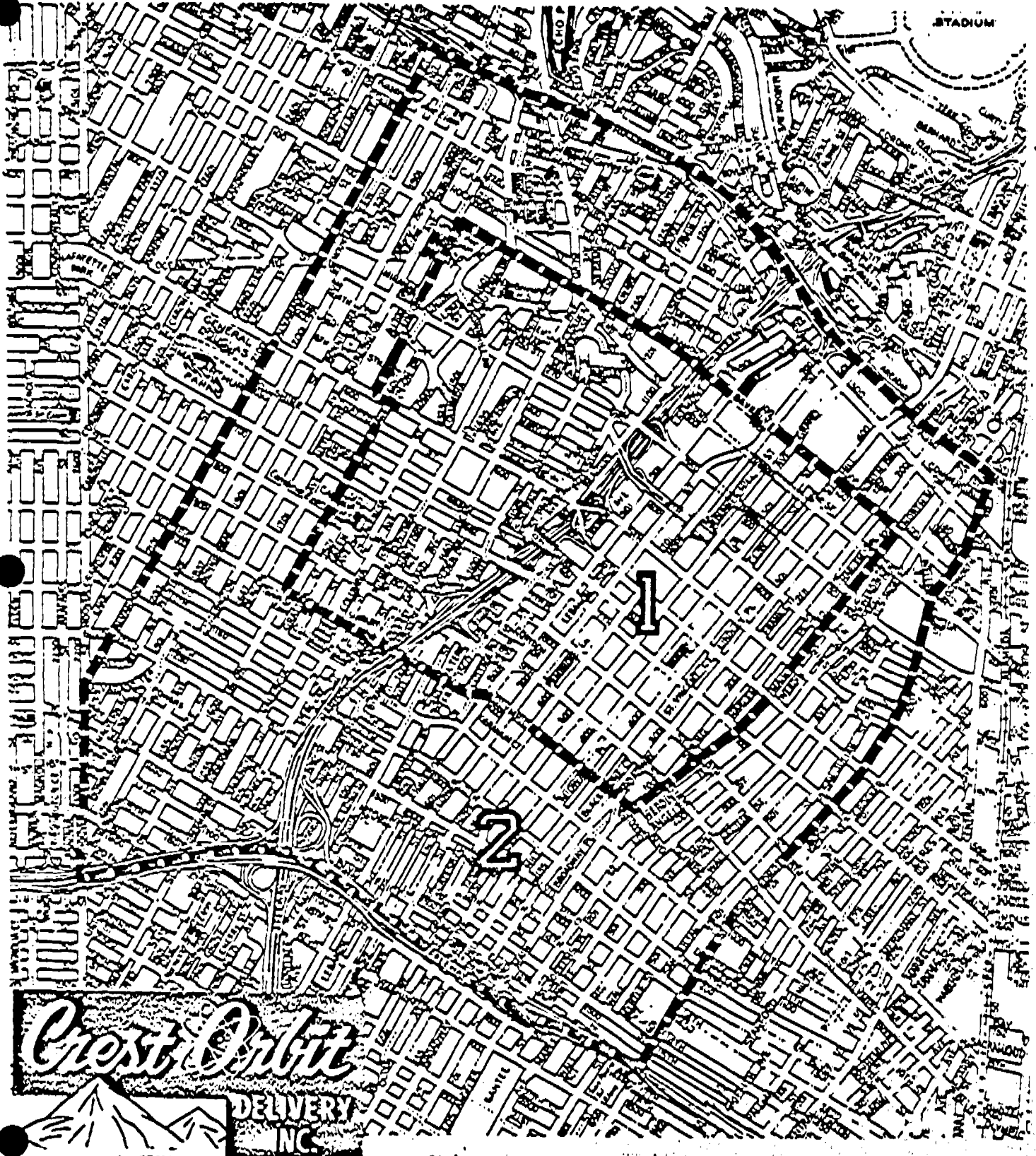
DOWNTOWN MOTORBIKE DELIVERY RATES

Charges: \$3.50 for pickup and delivery in Zone 1.
 \$5.00 for pickup in Zone 1 and delivery in Zone 2.
 \$5.00 for pickup in Zone 2 and delivery in Zone 1
 or 2.

Note: See Page 2 of appendix for map which sets forth the limits of Zones 1 or 2.

Condition: In all other respects the provisions of Minimum Rate Tariff 2 shall apply.

APPENDIX A



(END OF APPENDIX A)