

Decision No. 88638 MAR 21 1978

ORIGINAL

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. 1013
(Filed February 9, 1978)

And Related Matters)

Case No. 5439
Petition for Modification No. 321
Case No. 5441
Petition for Modification No. 407
(Filed February 9, 1978)

OPINION AND ORDER

California Couriers, Inc., a California corporation, seeks exemption from the minimum rates and rules named in Minimum Rate Tariffs 1-B, 2, 9-B and 19 for the "courier type" transportation of pharmaceuticals and radioactive pharmaceuticals in vehicles of licensed weight of 4,000 pounds or less.

These petitions are based on special circumstances and conditions detailed therein.

The petitions were listed on the Commission's Daily Calendar of February 10, 1978. No objection to the granting of the petitions has been received in the form prescribed by Rule 42.2 of the Commission's Rules of Practice and Procedure.

In the circumstances, the Commission finds that petitioner intends to engage in a courier transportation service for which competing highway carriers have heretofore been exempted from the otherwise governing minimum rates and petitioner's request for similar relief has been shown to be justified to the extent hereinafter indicated. For purposes of simplification, the rate exemption granted to petitioner by Decision 83366 will be consolidated with that authorized herein. A public hearing is not necessary. The Commission concludes that the petitions should be granted as set forth in the ensuing order.

IT IS ORDERED that:

1. California Couriers, Inc. is exempted from the otherwise governing provisions of Minimum Rate Tariffs 1-B, 2, 9-B, and 19 when engaged in the courier transportation of checks, drafts, money orders, securities, transit items, sales audit items, business records, audit media, tabulation cards, data processing materials, legal documents, printed or reproduced documents or data, pharmaceuticals and radioactive pharmaceuticals in vehicles of licensed weight of 4,500 pounds or less, and excluding transportation subject to weekly, monthly, or yearly vehicle unit rates.

2. The authority granted by Decision 83366 is cancelled effective concurrently with the effective date of this order.

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

Dated at San Francisco, California, this 21st day
of MARCH, 1978.

Robert B. Brown
President
William S. Lyons, Jr.
Terence L. Sturgeon
Richard D. Howell
Clare J. DeBrihl
Commissioners