

ORIGINAL

Decision No. 89042 JUN 27 1978

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)
general commodities within San)
Diego County as provided in)
Minimum Rate Tariff 9-B and the)
revisions or reissues thereof.)

Case No. 5439
Petition for Modification
No. 327
(Filed May 8, 1978)

OPINION AND ORDER

Minimum Rate Tariff 9-B (MRT 9-B) names minimum rates and rules for transportation of property within the San Diego Drayage Area. By this petition, San Diego Boat Movers, a corporation, seeks authority to be exempted on a permanent basis, from the minimum rates for the transportation of property, which because of size or weight, requires the use of low-bed equipment.¹

Petitioner contends that its hourly rates now exceed the minimum rates in MRT 9-B; therefore, the exemption sought does not involve the question of rate level.

Copies of the petition were mailed to carrier representatives on or about May 4, 1978. The petition was listed on the Commission's Daily Calendar of May 10, 1978. A letter received from California Trucking Association (CTA) opposed an open-ended exemption and suggested that any relief be limited to a one-year period. The suggestion of CTA has merit and the exemption will be so limited.

¹Petitioner was granted a previous exemption for one year from the rates and rules in MRT 9-B for the same type of transportation under D. 86274 dated August 24, 1976. The exemption expired July 1, 1977.

In the circumstances, the Commission finds that petitioner's proposal is reasonable. A public hearing is not necessary. The Commission concludes that the petition 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. San Diego Boat Movers, a corporation, is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 9-B to the extent set forth in Appendix A of this decision.
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 27th
day of JUNE, 1978.

President
William J. Lyons

Vernon L. Shugart

Richard D. Brouk

Clair T. DeBasil
Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

SAN DIEGO BOAT MOVERS
(a corporation)

The rates and rules named in Minimum Rate Tariff 9-B shall not apply to property transported on low-bed trucking equipment when such property, due to size or weight, requires the use of such equipment.

(END OF APPENDIX A)