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Decision No. 89044 JUN 27 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Frank O. Culy, Jr.,
F. O. Culy, Sr., and Harold F.
Culy dba Riteway Transportation
Company under Section 1708 of the
California Public Utilities Code
for Modification of the Commission
Orders in Decision No. 88491 of
Case No. 10374 and Decision No.
86169 of Application No. 56346.

Application No. 58010
(Filed April 19, 1978)

Investigation on the Commission's own
motion into the operations, rates and
practices of Riteway Transportation,
a partnership; Milton Ayer, an
individual; Warren E. Fields, an
individual; Eddie F. Lane, an
individual; Don R. Manning, an
individual; Ron Manning, an individ-
ual; Robert K. Miller, an individual;
Louis Pirrone, an individual; John A.
Sitko, an individual; Maurice Spillane,
an individual; and Raymond E. Wilson,
an individual.

Case No. 10374
(Filed July 19, 1977)

In the Matter of Frank O. Culy, Jr.,
F. O. Culy, Sr., and Harold F. Culy
dba Riteway Transportation Company
for the authority to deviate from
minimum rates and charges on shipments
between Long Beach plant, plant dis-
tribution warehouse, on the one hand, and
Sacramento plant, plant distribution
warehouse, on the other hand, for the
Procter and Gamble Company under
Section 3666 of the Public Utilities
Code.

Application No. 56346
(Filed March 23, 1976)

ORDER REOPENING PROCEEDINGS
AND STAYING ORDER IN DECISION NO. 88491

Application No. 58010 requests that the Commission reopen
Case No. 10374 and Application No. 56346 to allow submission of
additional evidence and that based on such evidence, the Commission

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modify its orders in Decision No. 88491 in Case No. 10374 and Decision No. 86169 in Application No. 56346. Petition for Rehearing of Decision No. 86169 filed by Riteway Transportation was denied by Decision No. 88809 dated May 2, 1978.

The Commission's Legal Division and Transportation Division have no objection to reopening the proceeding in Case No. 10374 and Application No. 56346.

After consideration, IT IS ORDERED that:

1. Case No. 10374 and Application No. 56346 are reopened for the receipt of additional evidence as outlined in Exhibit A to Application No. 58010.

2. Case No. 10374 and Applications Nos. 56346 and 58010 are consolidated for hearing before Administrative Law Judge Mallory at 10 a.m., Thursday, September 7 and 8, 1978 in the Commission Courtroom, State Building, 350 McAllister Street, San Francisco.

3. The effective date of Decision No. 88491 in Case No. 10374 is stayed until 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 S. Quinn

Vernon L. Sturgeon

Richard D. Powell

Clara T. DeSilva
Commissioners

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