

Decision No. 89349 SEP 6 1978**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Bayview Trucking, Inc.,)
 for authority to charge less than)
 minimum rates in Minimum Rate Tariff)
 No. 2 for Reynolds Metals Company, as)
 provided in Section 3666 of the Public)
 Utilities Code.)

Application No. 55796
 (Filed July 8, 1975)

ORDER REOPENING PROCEEDING
FOR HEARING

Decision No. 85649 issued without hearing on March 30, 1976 granted authority to Bayview Trucking, Inc. to assess Class 35.2 rates for the transportation of aluminum can ends for Reynolds Metals Company. That authority, originally scheduled to ^{EXP. 8/8/77} March 30, 1977, was extended by Commission resolution to August 8, 1978.^{1/}

The latest extension of the less than minimum rate authority (Order No. SDD-779 issued August 8, 1978) is subject to the following condition:

" . . . The authority granted herein is subject to the cancellation of subhauler payments per loaded and empty dispatched miles. Pending hearing the subhauler shall be paid no less than the rates authorized herein without any deduction for use of applicant's trailing equipment effective December 10, 1978.

"A public hearing in this proceeding for the receipt of evidence pertaining to the reasonableness of payments to the subhaulers shall be scheduled at a date to be set."

^{1/} Orders Nos. SDD-536, SDD-738, and SDD-779.

Therefore, good cause appearing, IT IS ORDERED that Application No. 55796 is reopened for hearing for receipt of evidence as indicated above. Such hearing shall be scheduled before Commissioner Gravelle and/or Administrative Law Judge O'Leary at such time and place as hereinafter may be designated.

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

Dated at San Francisco, California, this 6th day of SEPTEMBER, 1978.

Robert R. Berman
President
William J. Fournier Jr.
Veron L. Sturgeon
Robert D. Gault

Commissioners

Commissioner Claire T. Dodrick, being necessarily absent, did not participate in the disposition of this proceeding.