

PNK/FS

Decision No. 89435 SEP 19 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of ERRECA'S EQUIPMENT)
RENTAL, INC. for authority to)
deviate from Item 360 of Regula-)
tion 7-A, to charge shippers on an)
hourly basis for the hauling of)
rock, sand, earth, gravel, decom-)
posed granite, debris and other)
like commodities for various)
shippers in San Diego County pur-)
suant to Section 3666 of the)
Public Utilities Code.)

Application No. 58266
(Filed July 31, 1978)

ORDER OF DENIAL

By this application, Erreca's Equipment Rental, Inc., a corporation, requests authority to deviate from the written agreement provisions of Minimum Rate Tariff 7-A (MRT 7-A) for the transportation of rock, sand, gravel and various other commodities at the hourly rates provided in the tariff.

Applicant requests authority to charge any or all shippers on an hourly basis for services to be performed without the necessity of a written agreement.

Item 360 of MRT 7-A provides that hourly rates apply only when a debtor or his agent and a carrier or his representative enter into a written agreement, before the transportation commences. In the absence of an hourly agreement, rates otherwise provided in the tariff are assessed.

The hourly rates in MRT 7-A are predicated on the premise that a written agreement shall be executed in order for a shipper to benefit from this lower basis of charges.

