

ORIGINAL

Decision No. 89942 JAN 30 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of:)

George Hollis Avery, doing busi-)
ness as AVERY TRANSPORT SERVICE)

Application No. 52365
(Filed September 18, 1978)

for authority to deviate from the)
provisions of Minimum Rate Tariff)
Number 18, pursuant to the pro-)
visions of Section 3666 of the)
Public Utilities Code.)

OPINION AND ORDER

By this application, George Hollis Avery, doing business as, AVERY TRANSPORT SERVICE, requests authority to deviate from the provisions of Minimum Rate Tariff 18 in connection with tow-away and haulaway service from and to various points within the State of California.

Applicant proposes to transport trailers not over 8 feet 4 inches in width, nor over 40 feet in length in towaway and haulaway service. This service can be provided with the use of power units substantially less expensive than the power units contemplated in the establishment of MRT-18. Applicant alleges that the Commission's minimum rates will not move this traffic in for-hire carriage. Applicant also contends there is a need for the service offered by applicant.

The application was listed on the Commission's Daily Calendar of September 20, 1978. No objection to the granting of the application has been received.

Revenue and expense data submitted by the applicant indicate that the transportation involved may reasonably be expected to be profitable under the proposed rates.

In the circumstances, the Commission finds that the applicant's proposal is reasonable. A public hearing is not necessary. The Commission concludes that the application should be granted as set forth in the ensuing order. Because there is an immediate need for this rate relief, the effective date of this order should be the date hereof.

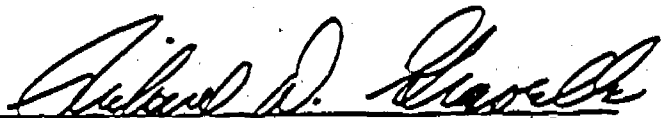
IT IS ORDERED that:

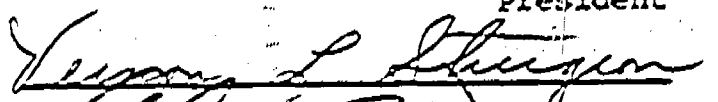
1. George Hollis Avery, doing business as Avery Transport Service, is authorized to perform the transportation shown in Appendix A attached hereto and by this reference made a part hereof at not less than the rates set forth therein.


2. The authority granted herein shall expire one year after the effective date of this order unless sooner canceled, 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 30 day
of JANUARY, 1979.



President




Commissioners

Commissioner John E. Bryson
present but not participating.

Commissioner Leonard M. Grimes Jr.
present but not participating.

APPENDIX A

Carrier: George Hollis Avery, dba Avery Transport Service
 Commodity: Trailer Coaches, not over 8 feet 4 inches in width,
 nor over 40 feet in length, in towaway and haulaway
 service subject to Note 1.
 Territory: Between points in California

DISTANCE TOWAWAY AND HAULAWAY RATES IN DOLLARS PER TRAILER
 COACH AND IN CENTS

PER MILE OVER 600 MILES

<u>MILES</u>			<u>MILES CONT.</u>		
<u>Over</u>	<u>But Not Over</u>		<u>Over</u>	<u>But Not Over</u>	
0	50	\$ 25.00	325	350	\$156.00
50	75	37.00	350	375	167.00
75	100	50.00	375	400	176.00
100	125	62.00	400	425	186.00
125	150	75.00	425	450	196.00
150	175	87.00	450	475	206.00
175	200	100.00	475	500	216.00
200	225	104.00	500	525	225.00
225	250	116.00	525	550	235.00
250	275	126.00	550	575	244.00
275	300	137.00	575	600	254.00
300	325	147.00	over 600 miles		43 cents per mile or fraction thereof.

Note 1:

Rates apply to: (a) shipments when either the point of origin or point of destination is; (1) a place of manufacture or a manufacturer's storage facility, (2) an established place of business of a trailer coach dealer as defined in Section 320 of the Vehicle Code of the State of California, or a trailer coach dealer's storage facility, and the bill of lading or other shipping document contains certification by the consignor or consignee that the trailer coach is for sale, exchange, lease or rent, or (3) a trailer coach show; or (b) transportation of all special purpose trailers.

Conditions:

1. Rates not subject to applicable surcharges.
2. Applicant has not indicated that subhaulers will be engaged nor have any costs of subhaulers been submitted. Therefore, if subhaulers are employed, they shall be paid no less than the rates authorized herein without any deduction for use of applicant's trailing equipment.
3. In all other respects, the rates and rules in Minimum Rate Tariff 18 shall apply.

(END OF APPENDIX A)