

Decision No. 90963 OCT 23 1979**ORIGINAL**

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 any)
 and all commodities statewide)
 including, but not limited to,)
 those rates which are provided)
 in Minimum Rate Tariff 2 and the)
 revisions or reissues thereof.)

Case No. 5432
 Petition for Modification
 No. 1050
 (Filed August 23, 1979)

OPINION AND ORDER

ACE Corporation operates as a highway contract carrier. By this petition, it seeks exemption from the minimum rates and rules named in Minimum Rate Tariff 2 for the "courier type" transportation of various commodities.

The petition was listed on the Commission's Daily Calendar of August 30, 1979. The California Trucking Association, by letter dated September 4, 1979, has stated that they are opposed to the granting of the petition by ex parte order.

In the circumstances, the Commission finds that petitioner intends to engage in a "courier type" transportation service for which competing highway carriers have heretofore been exempted from the otherwise governing minimum rates and petitioner's request for similar relief has been shown to be justified. A public hearing is not necessary. The Commission concludes that the petition should be granted to the extent indicated 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:

ACE Corporation is exempted from the otherwise governing provisions of Minimum Rate Tariff 2 when engaged in the "courier type" transportation of:

Checks, drafts, money orders, securities, transit items, sales audit media, tabulation cards, data processing materials, legal documents, printed or reproduced documents or data and related items, video tapes, films (unexposed, exposed, unprocessed, processed film and prints), printed news stories and x-ray photographs,

when transported in vehicles not exceeding a licensed weight of 4,500 pounds.

To the extent not granted herein Petition No. 1050 is denied.

The effective date of this order is the date hereof.

Dated OCT 23 1979, at San Francisco, California.

Commissioner JOHN E. BRYSON

President

Present but not participating.

Richard D. Howell

Alvin T. ...

Donald W. ...
Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.