

Decision No. 51051 NOV 20 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of METRO RECORDS MANAGEMENT, INC., )  
a California corporation, for an )  
Order Waiving Conditions of )  
Exemption set forth in Items 10 )  
and 42 of Minimum Rate Tariff 2, )  
pursuant to Section 3666 of the )  
Public Utilities Code of the State )  
of California. )

Application No. 59139  
(Filed September 13, 1979)

OPINION AND ORDER

By this application, <sup>1/</sup> Metro Records Management, Inc., a corporation, seeks authority, under certain conditions, to be exempted from the minimum rates and rules named in Minimum Rate Tariff 2 (MRT 2) for "courier type" transportation of various commodities.

Applicant states that its "principal operations are (a) the collection, storage and retrieval of business records, including the transportation thereof between the storers and applicant's place of business, and (b) the provision of courier service for the commodities set forth in Item 42 of Minimum Rate Tariff 2." The carrier's sought exemption for courier service differs only in one respect from that permitted in application of the rules as set forth in Item 10 of MRT 2. Courier Service, as defined in Item 10, states in part - "(a) A carrier vehicle fleet consisting of only vehicles having a licensed weight of 4,500 pounds or less,..." (underscoring added).

The carrier avers that it operates a fleet of vehicles, in the conduct of its business, some of which, have a licensed weight in excess of 4,500 pounds. The carrier in this instance seeks to

---

<sup>1/</sup> Although the carrier filed an application seeking an exemption from the rates and rules in Minimum Rate Tariff 2, the proper acceptable method of seeking such exemption is for one to file a petition in the appropriate minimum rate proceeding, namely Case 5432.

utilize only licensed vehicles of 4,500 pounds or less when performing transportation of commodities as listed in Item 42, MRT 2. However, in order for it to transport general commodities (other than those listed in Item 42) in larger size vehicles, applicant wishes to continue to operate licensed vehicles weighing in excess of 4,500 pounds.

The application was listed on the Commission's Daily Calendar of September 18, 1979. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that applicant 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 applicant's request for similar relief has been shown to be justified. A public hearing is not necessary. The Commission concludes that the application 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:

Metro Records Management, Inc., is exempted from the otherwise governing provisions of Minimum Rate Tariff 2 when engaged in courier-type transportation as set forth in Appendix A, attached hereto and by this reference made a part hereof.

The effective date of this order is the date hereof.

Dated NOV 20 1979, at San Francisco, California.

John E. Gypson  
President

Vernon L. Sturgeon

Commissioner Richard D. Gravello, being necessarily absent, did not participate in the disposition of this proceeding.

Clair J. Delucchi

Thomas W. Quinn  
Commissioners

APPENDIX A

Metro Records Management, Inc., is exempted from the applicable provisions of Minimum Rate Tariff 2 when engaged in courier-type transportation of the following commodities, subject to Notes 1 and 2:

- (1) Business Records, viz.: 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 and printed news stories;
- (2) Medical Specimens, viz.: human and animal specimens, contained in glass or plastic tubes or vials, or whole blood serum for medical laboratory examination; individual units of whole blood; glass slides for microscopic tissue examination; urine and stool specimens; sputum, wound and other similar cultures; tissue samples for pathological examination; X-ray photographs, medical transmittal documents, and documents reporting results of laboratory examination, and specimen envelopes, laboratory test forms and transmittal containers furnished by medical laboratories to their clients.

Note 1 - Applicable only when the above-named commodities are transported in vehicles of a licensed weight of 4,500 pounds or less.

Note 2 - Delivery shall be made within 24 hours after pickup.

(END OF APPENDIX A)