

Decision No. _____

60550

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
OVERNITE MOTOR EXPRESS for an order
authorizing cancellation of average
weights for the computation of charges
for transporting motion picture films.

Application No. 42123

OPINION AND ORDER

Overnite Motor Express, a corporation, operates as a highway common carrier. By this application, filed April 7, 1960, it seeks authority to make certain changes in its tariff rule relating to the weight of shipments of motion picture film. The present tariff rule provides that on such shipments the weights listed in the rule will apply. Applicant proposes to amend the rule so that the listed weights will apply only when actual weights are not obtainable. It also seeks to increase the weights on shipping cans containing three and four 2,000 foot reels of film, and to cancel the weight for cans containing five 2,000 foot reels.

The application states that continuing tests have developed errors in the weights presently stated in the tariff, and that the type of shipping container capable of holding five 2,000 foot reels of film is no longer in use. It also states that the proposal to apply actual weights is in recognition of the long- and well-established principle that transportation charges be computed upon the gross weight of the shipment at the time and in the condition tendered for transportation.

Applicant has informed all its patrons of the proposed tariff changes. One theatre opposes the granting of the application on the belief that it would be required to purchase scales

to weigh the film shipments. As it is the responsibility of the carrier to determine the weight, this objection has no merits. It does not appear that a public hearing is necessary.

It appears, and the Commission so finds, that the proposed tariff change and resulting increases are justified. The application will be granted. Applicant also requests that it be authorized to amend its tariff on ten days' notice. This request appears reasonable and will be granted.

Therefore, good cause appearing,


IT IS ORDERED:


(1) That Overnite Motor Express be and it is hereby authorized to amend, on not less than ten days' notice to the Commission and to the public, Item 30 of its Local Freight Tariff No. 1, Cal. P.U.C. No. 1 (Series of Gilboy Company, Inc.), as proposed in Application No. 42123.

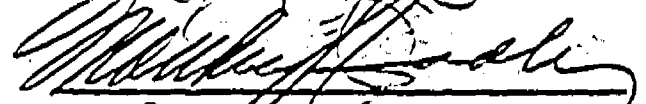
(2) That the authority herein granted shall expire unless exercised within sixty days after the effective date of this order.

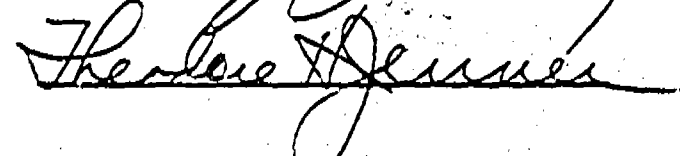
This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this
9th day of August, 1960.



President






Commissioners