

ORIGINAL

Decision No. 63373

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of J. P. Hackler, Tariff Publishing Officer, for approval of changes in classification provision.

) Application No. 43951
) (Filed November 24, 1961)

In the Matter of the Investigation into the rates, rules, regulations, charges, allowances and practices of all common carriers, highway carriers and city carriers relating to the transportation of any and all commodities between and within all points and places in the State of California (including, but not limited to, transportation for which rates are provided in Minimum Rate Tariff No. 2).

) Cases Nos. 5432, 5435,
) 5441 and 5603
) (Order Setting Hearing
) dated December 19, 1961)

And related matters.

OPINION AND ORDER

Applicant seeks authority to make a number of changes in Western Classification No. 77. Those changes include increases in ratings, decreases in ratings, establishment of ratings on new articles, and changes in descriptions of articles and packages which would not result in changes in ratings. There are 21 changes which would either result in reduction in rates or no change in rates. There are 11 changes which would result in increases.

The general pattern of relationships of densities of articles to ratings and values to ratings maintained by applicant are stated in Decision No. 63340, dated February 26, 1962, in Application No. 43600. Where the proposed changes in ratings are based upon the transportation characteristics of density and/or value, those ratings correspond to the pattern referred to hereinabove.

Several of the proposals involve increasing the charges specified in the Classification. At present those charges are subject to general increases authorized by the Commission and by the Interstate Commerce Commission. The latter agency has instructed applicant to specify the charges so increased and to remove the application of the so-called ex parte increases.

The Commission has not received communications which would indicate any opposition or protest to the granting of this application. Upon consideration of all of the facts and circumstances we find that the proposed changes are reasonable and that increases which would result from the establishment of the proposed ratings are justified.

The proceedings in the above-designated minimum rate cases were ordered by the Commission so that it may consider whether the proposed ratings are reasonable and suitable to govern the minimum class rates. A number of the proposals, particularly those involving rule changes, would not affect the minimum rates because of exceptions contained in the minimum rate tariffs. We have stated in Decision No. 63340, referred to above, that unless there are circumstances and conditions in California which necessitate the establishment of different ratings, the ratings which have been found to be reasonable for publication in the Western Classification are also suitable to govern the minimum rates. There appear to be no such circumstances or conditions surrounding the transportation of the articles involved herein within California; accordingly, we find that, except to the extent that the Commission has established or approved exceptions to the Western Classification to govern the minimum rates, the proposed changes are reasonable, suitable and proper to govern the minimum rates established by the Commission; and that a public hearing is not necessary; therefore,

IT IS ORDERED that:

1. J. P. Hackler, Tariff Publishing Officer for carriers participating in the Western Classification, is authorized to establish the ratings, rules and regulations proposed in his application filed November 24, 1961.

2. The changes in the classification ratings, rules and regulations hereinabove authorized are approved and adopted to govern minimum rates, rules and regulations promulgated by the Commission in City Carriers' Tariff No. 1-A, City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A, Minimum Rate Tariff No. 2, Minimum Rate Tariff No. 5 and Minimum Rate Tariff No. 11-A.

3. Common carriers in establishing and maintaining the ratings prescribed hereinabove are authorized to depart from the provisions of Article XII, Section 21 of the Constitution of the State of California, and Section 460 of the Public Utilities Code, to the extent necessary to adjust the long- and short-haul departures now maintained under outstanding authorizations and that such outstanding authorizations are modified only to the extent necessary to comply with this order.

4. The tariff publications authorized to be made as a result of the order herein may be filed not earlier than the

effective date hereof, and may be made effective on not less than ten days' notice to the Commission and to the public.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 16th day of MARCH, 1962.

Cresswell C. Beag
President
W. E. Mitchell
E. J. Fox
George H. Trorer
Frederic B. Halbach
Commissioners