

ORIGINAL

Decision No. 64043

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Western Motor Tariff Bureau,)
Inc., Agent, and E. J. McSweeney,)
Agent for permission under Section)
Nos. 454, 460 and 490 of the Public)
Utilities Code to publish certain)
tariff provisions.)

Application No. 44358
(Filed April 17, 1962)

OPINION AND ORDER

Western Motor Tariff Bureau, Inc., Agent, and E. J. McSweeney, Agent, publish tariffs setting forth rates, rules and regulations for the transportation of property between points within California on behalf of various common carriers.

By this application authority is sought to cancel various rail-competitive rates published in three separate tariffs¹ and to concurrently publish in a new tariff similar but more comprehensive rates, rules and regulations in lieu of those proposed to be canceled. The application also requests authority to depart from the long-and-short-haul provisions of Section 460 of the Public Utilities Code in connection with the publication of the proposed tariff, and requests authority under Section 490 of the Public Utilities Code to effect the proposed cancellation of rail rates contained in the tariff issued by E. J. McSweeney, Agent, by issuing a cancellation supplement rather than canceling the rates individually

1

The three tariffs are on file with this Commission and are designated as Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight Tariffs Nos. 17-A, Cal. P.U.C. No. 33 (Elmer Ahl, Agent, series); 18-B, Cal. P.U.C. No. 17 (J. L. Beeler, Agent, series) and E. J. McSweeney, Agent, Local and Joint Freight and Express Tariff No. 1, Cal.P.U.C. No. 1.

According to the application the proposed tariff reflects rail rates, routings and commodity descriptions currently published in rail tariffs. The application states that none of the three current tariffs of applicant was primarily designed to include rail rates, and hence publication of such rates has been difficult and, in some cases, incomplete; that the proposed tariff, with minor exceptions, reflects all of the appropriate provisions of the present rail tariffs with which the new tariff is being made competitive; and that the proposal herein will be to the benefit of all concerned, inasmuch as it will bring together in one consolidated tariff rail-competitive rates presently contained in three separate tariffs for the carriers participating therein.

The proposed publication would result in both increases and reductions. It appears from the application that the increases would be minor and technical, resulting primarily from the correction of past errors and inadvertences. The general effect of the proposed publication is to create reductions in rates and charges contained in the present tariffs.

The long-and-short-haul departures would result primarily from the requirement of the minimum rate orders that rail competitive rates shall not be applied at intermediate off-rail points where higher minimum rates have been established. The present tariffs contain authorized departures of this nature. The proposed publication would contain the same departures, with necessary additions to and modifications of the rates and routes.

No objection to the granting of the application has been received.

In view of all of the circumstances it appears, and the Commission finds that the proposal, including any increased rates or charges, is justified. This is a matter in which a public hearing is not necessary. The application will be granted.

Good cause appearing,

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized to publish and E. J. McSweeney, Agent, is hereby authorized to cancel rail competitive rates as proposed in Application No. 44358 for the common carriers referred to therein.

2. Tariff publications authorized to be made as a result of the order herein may be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and to the public.

3. The carriers referred to in the above application are hereby authorized to depart from the long-and-short-haul provisions of Section 460 and the provisions of Section 490 of the Public Utilities Code to the extent necessary to publish the tariff herein proposed.

4. The authority herein granted shall expire unless exercised within 180 days after the effective date of this order.

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

Dated at San Francisco, California, this 3rd day of July, 1962.

George G. Grover
President
[Signature]
[Signature]
[Signature]
Commissioners