

Decision No. 660S2

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
WESTERN MOTOR TARIFF BUREAU, INC.,)
to publish rule permitting)
substitution of rail carrier service)
for motor carrier service under the)
provisions of Section Nos. 490 and)
491 of the Public Utilities Code.)

Application No. 45576
(Filed July 3, 1963)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent, for the carriers herein involved, seeks authority to publish rules and regulations necessary to permit Asbury Transportation Co. to avail itself of trailer-on-flatcar facilities of Southern Pacific Company, as a substitute for highway service, between various points in California.¹ Asbury Transportation Co. possesses a certificate of public convenience and necessity from this Commission authorizing service between the points for which substituted service authority is herein sought. Authority is also sought to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code in connection with rates that are currently maintained for the account of Asbury Transportation Co. under outstanding long- and short-haul authorities and to make the tariff publication effective on five days' notice to the Commission and to the public.

The application proposes that Southern Pacific Company will substitute its service for that of Asbury Transportation Co. at the option of the latter and at the rates published for the account of Asbury Transportation Co. for service performed entirely by truck. The proposed tariff would provide that, if the shipper so directs, rail substituted service will not be used.

¹These points are Bakersfield, El Centro, Fresno, Los Angeles, Oakland, Roseville, Salinas, San Francisco, San Jose, San Luis Obispo and Stockton.

The verified application shows that, on or about July 2, 1963, a copy thereof was served upon the California Trucking Association. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the establishment of the substituted service, on ten days' notice, will not be adverse to the public interest. 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, on behalf of Asbury Transportation Co. and Southern Pacific Company, tariff provisions for substitute rail service as proposed in the above application and to depart from the provisions of General Order No. 80-A to the extent necessary to publish the tariff provisions proposed in said application.
2. The carriers named in the above-numbered application are hereby authorized to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code in connection with rates that are currently maintained for the account of Asbury Transportation Co. under outstanding long- and short-haul authorities.
3. The tariff filings made pursuant to the authority herein granted shall be made effective not earlier than ten days after the effective date of this order and on not less than ten days' notice to the Commission and the public.

4. The authority herein granted shall expire unless exercised within 120 days after the effective date hereof.

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

Dated at San Francisco, California, this 24th day of September, 1963.

William M. Grund
President
Paul E. Attila
Wesley W. Bago
George T. Trover
Frederick B. Holdhoff
Commissioners