

**ORIGINAL**Decision No. 66276

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Western Motor Tariff Bureau, Inc., a )  
 Corporation, for authority to with- )  
 draw certain vehicle unit rates for )  
 specified member carriers. )

Application No. 45511  
 (Filed June 11, 1963)  
 (Amended September 19, 1963)

Russell & Schureman by Carl H. Fritze, for applicant.  
Robert Shoda, for the Commission staff.

O P I N I O N

This application was heard and submitted September 19, 1963, before Examiner Thompson at Los Angeles.

Applicant is a nonprofit corporation engaged in the preparation, printing and distribution of highway common carrier tariffs for its members. In the course of its operations, applicant issues a number of tariffs on behalf of some or all of its members, three of which tariffs are involved herein. The real issue here is whether some eighty highway common carrier members of applicant should be authorized to discontinue the maintenance of vehicle unit rates for transportation service performed. The authority sought which would accomplish said result is the cancellation by applicant of vehicle unit rates in its Tariffs Nos. 17-A, 18-B and 104. Those tariffs set forth schedules of rates substantially the same as the rates set forth in Minimum Rate Tariffs Nos. 2, 5 and 9, respectively. Because the said minimum rate tariffs initially contained vehicle unit rates, the applicant's tariffs also contained vehicle unit rates.

On March 12, 1963, by Decision No. 65072 in Case No. 5432, and by orders supplemental to said decision, the Commission canceled weekly and monthly vehicle unit rates in the minimum rate tariffs and concurrently established weekly, monthly and yearly vehicle unit rates in Minimum Rate Tariff No. 15 effective June 1, 1963. Applicant thereupon prepared, printed, distributed and filed a new tariff, No. 113, setting forth rates substantially the same as those prescribed in Minimum Rate Tariff No. 15. Applicant encountered a problem, however, resulting from its rules which provide for a participation fee to be imposed upon its members. The fee is assessed for each tariff in which the member participates. On April 29, 1963, the tariff issuing officer of applicant sent a letter to all participants to Tariffs Nos. 17-A, 18-B and 104, notifying them of the applicant's intention to cancel the vehicle unit rates in said tariffs and to establish them in Tariff No. 113. He requested the carriers to indicate to him whether they desired to participate in the latter tariff. During the period April 29 to September 19, 1963, he communicated with many of the participants in person and by telephone. All of the carriers except eighty indicated that they would participate in Tariff No. 113. Of the eighty carriers, most of them informed the tariff issuing officer that they did not wish to participate. The remaining few carriers did not reply to the letter of April 29.

According to the testimony of the tariff issuing officer, the eighty carriers that do not wish to participate in the vehicle unit rates published in Tariff No. 113 do not engage in transportation at said rates. The carriers maintain class rates and commodity rates for the transportation performed. He testified that all of the

carriers had been notified that unless a carrier did participate in the tariff it could not transport property between points served as a common carrier at vehicle unit rates.

No one opposed the granting of the application. The cancellation of rates technically is an increase in rates. Under the provisions of the Constitution of the State of California and of the Public Utilities Code, no highway common carrier shall increase any rates for the transportation of property except upon a showing before the Commission and a finding by the Commission that such increase is justified. Such showing has been made here and we find that the increases resulting from the cancellation by applicant of vehicle unit rates on behalf of the eighty carriers here involved are justified. We conclude that the application should be granted.

O R D E R

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., a nonprofit corporation, is authorized, on behalf of the carrier participants to Tariffs Nos. 17-A, 18-B and 104 listed in Appendix A, which appendix is attached hereto and by this reference made a part hereof, to discontinue the maintenance of monthly and weekly vehicle unit rates for the transportation of property.

2. The authority granted herein shall expire unless exercised within ninety 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 5th day of NOVEMBER, 1963.

Helen M. Bonds  
President

[Signature]  
[Signature]

George A. Grover

Fredrick B. Holbrook  
Commissioners

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Page 1 of 3LIST OF CARRIERS AUTHORIZED TO WITHDRAW  
FROM PUBLICATION OF MONTHLY AND WEEKLY  
VEHICLE UNIT RATES

## A. List of such carriers participating in Bureau Tariff No. 17-A.

V. R. Anderson, d.b.a.,  
 V. R. Anderson Truck Company, Montebello, Cal.  
 Luciano Giudice, Charlotte Giudice, Charles  
 Traina and John Traina, d.b.a.,  
 Auto Fast Freight, San Bernardino, Cal.  
 Joseph L. Bonita, d.b.a.,  
 Avon Express, Pedley, Cal.  
 Balser Truck Co., Bell, Cal.  
 Blythe Transportation, Blythe, Cal.  
 Vernon M. Bolen, d.b.a.,  
 Bolen's Delivery Service, Ventura, Cal.  
 Vincent M. McLeod, d.b.a.,  
 Budway Express, Los Angeles, Cal.  
 Burton Truck & Transfer Co., Los Angeles, Cal.  
 Wilbur C. Winegar, d.b.a.,  
 City Transfer & Storage Co., Bell, Cal.  
 Dease Delivery Service, Inc., d.b.a.,  
 Coast Delivery Service, San Diego, Cal.  
 George Chuck and Edward Papazian, d.b.a.,  
 Desert Belt Transportation Company, Indio, Cal.  
 N. D. Williams, d.b.a.,  
 Desert Transfer & Storage, Indio, Cal.  
 Evans Tank Line, Inc., Maywood, Cal.  
 Gould Transportation Co., Inc., Los Angeles, Cal.  
 Hain Trucking Co., Inc., North Hollywood, Cal.  
 E. D. Hardy and E. M. Hardy, d.b.a.,  
 Hardy Trucking Co., Los Angeles, Cal.  
 James L. Chase, d.b.a.,  
 Kern Valley Transfer, Los Angeles, Cal.  
 Kling Cartage Co., San Bernardino, Cal.  
 Moses Meiselman, d.b.a.,  
 Mann Trucking Co., Los Angeles, Cal.  
 Metropolitan Warehouse Company, Los Angeles, Cal.  
 Miller, Roy, Freight Lines, Inc., Los Angeles, Cal.  
 Milton C. Amundson, d.b.a.,  
 Milton's Express, Los Angeles, Cal.  
 Monson Truck Co., San Diego, Cal.  
 National Trucking Company of Los Angeles, Los Angeles, Cal.  
 Mack Nishimoto, d.b.a.,  
 Nishimoto Bros., Coachella, Cal.  
 Parker Truck Company, San Diego, Cal.  
 Paxton Trucking Company, Montebello, Cal.  
 Rudolf R. Roesies, d.b.a.,  
 Roesies, R. Trucking Co., Arcadia, Cal.  
 Ruiz, Hilarion, M., Indio, Cal.  
 Shippers Express Company, San Jose, Cal.  
 Samjo, Inc., d.b.a.,  
 Smiser Freight Service, Bakersfield, Cal.

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Swift Transportation Company, Bell, Cal.  
 System Transport, Gardena, Cal.  
     Budco Trucking Co., Inc., d.b.a  
 Tiger Transportation, Los Angeles, Cal.  
     Paul S. Beidleman, d.b.a.,  
 United Drayage Company, Los Angeles, Cal.  
 Webster Tank Truck Service, Inc., Los Nietos, Cal.  
 Williams Transportation, Inc., Los Angeles, Cal.  
 Willig Freight Lines, San Francisco, Cal.  
     Jack Woodmansee, d.b.a.,  
 Woody's Transfer, Santa Ana, Cal.

## B. List of such carriers participating in Bureau Tariff No. 18-B.

A & B Garment Delivery, Los Angeles, Cal.  
 Airway Trucking Co., City of Commerce, Cal.  
 Aztec Transportation Co., Inc., San Diego, Cal.  
 Bargsten Truck Lines, Inc., Fullerton, Cal.  
     Robert K. O'Donnell, d.b.a.,  
 Bob's Delivery Service, El Monte, Cal.  
     Arvil E. Bainbridge, d.b.a.,  
 Borrego Freight Lines, Borrego Springs, Cal.  
 California Freightways, Los Angeles, Cal.  
     Daniel C. Fessenden, d.b.a.,  
 California Warehouse Co., Los Angeles, Cal.  
     Tony S. Caruso, d.b.a.,  
 Caruso Produce Express, San Francisco, Cal.  
 Churchill Transportation Company, Hemet, Cal.  
 Coast Cartage Co., Vernon, Cal.  
 Cook & Tillitt Freight Service, Inc., Los Angeles, Cal.  
     Robert M. Scully and Kathleen A. Scully, d.b.a.  
 Coronado Rapid Transfer, San Diego, Cal.  
 Eckdahl Warehouse Co., Los Angeles, Cal.  
 Freight Transport Company, Los Angeles, Cal.  
 G & G Trucking Company, Los Angeles, Cal.  
 Garment Carriers, Inc., Los Angeles, Cal.  
     Clyde E. Guss, d.b.a.,  
 Guss Freight Delivery, Long Beach, Cal.  
 Hodge B. W. Transportation, Inc., Los Angeles, Cal.  
 J. D. Transportation Co., Los Angeles, Cal.  
     Robert A. Jansen, Lloyd M. Jansen,  
     Wayne E. Jansen and Elroy A. Jansen, d.b.a.,  
 Jansen Transportation Company, Los Angeles, Cal.  
 Key Transport, Incorporated, Los Angeles, Cal.  
 Marine Transport Company, Los Angeles, Cal.  
 Marr Freight Transit, Inc., Los Angeles, Cal.  
 Millage Trucking, Inc., Riverside, Cal.  
     J. A. Miller, d.b.a.,  
 Miller, J. A. Trucking, El Centro, Cal.  
     Douglas Joseph, Zetta Joseph, Irving B. Joseph,  
     Hudson Joseph, Jessie T. Joseph, Roy Joseph and  
     Donald I. Joseph, d.b.a.,  
 Owens Valley Freight Lines, Bishop, Cal.  
 Pacific Commercial Warehouse, Inc., Los Angeles, Cal.  
 Peerless Trucking Co., Santa Monica, Cal.

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Clyde R. Hoagland, d.b.a.,  
 Redway Transfer Co., Los Angeles, Cal.  
 Ronga Truck Company, Los Angeles, Cal.  
 Russell Truck Company, Los Angeles, Cal.  
 S & M Freight Lines, Los Angeles, Cal.  
 San Diego Forwarding Express, San Diego, Cal.  
 San Diego-Imperial Express, Inc., San Diego, Cal.  
 Scott Transportation Co., San Bernardino, Cal.  
 Signal Trucking Service, Ltd., Los Angeles, Cal.  
 Abbie Smith and Clarence Smith, d.b.a.,  
 Smith Bros. Truck Company, Los Angeles, Cal.  
 Smith Transportation Co., Santa Maria, Cal.  
 Special Service Transportation Corporation, Ltd., Bakersfield, Cal.  
 Star Truck & Warehouse Co., d.b.a.,  
 Star Truck & Transfer Co., Star Truck & Warehouse Co., and  
 Pioneer Truck Co., Los Angeles, Cal.  
 States Warehouses, Inc., Los Angeles, Cal.  
 Stone, Ben, Los Angeles, Cal.  
 James P. Maugh, d.b.a.,  
 Stucki & Jim's Truck Repair Service, Bell Gardens, Cal.  
 Theodore T. Violette, d.b.a.,  
 Trans Harbor Trucking Co., Long Beach, Cal.  
 United Expressways, Inc., Los Angeles, Cal.  
 Phillip L. Webb, d.b.a.,  
 Webb's Delivery Service, Anaheim, Cal.  
 John R. Webb, d.b.a.,  
 Webb Truck Co., Long Beach, Cal.  
 West Coast Warehouse Corporation, Long Beach, Cal.  
 Worth, Chas. J., Drayage Co., San Francisco, Cal.

## C. List of such carriers participating in Bureau Tariff No. 104.

Aztec Transportation Co., Inc., San Diego, Cal.  
 Robert K. O'Donnell, d.b.a.,  
 Bob's Delivery Service, El Monte, Cal.  
 Everett E. Lloyd, d.b.a.,  
 Borderline Express, San Diego, Cal.  
 Robert M. Scully and Kathleen A. Scully, d.b.a.,  
 Coronado Rapid Transfer, San Diego, Cal.  
 Dease Delivery Service, Inc., d.b.a.,  
 Coast Delivery Service, San Diego, Cal.  
 Milton C. Amundson, d.b.a.,  
 Milton's Express, Los Angeles, Cal.  
 R. S. Stowell, d.b.a.,  
 Western Parcel Service, San Diego, Cal.  
 Williams Transportation, Inc., Los Angeles, Cal.  
 Willig Freight Lines, San Francisco, Cal.

END OF APPENDIX A