

ORIGINAL

Decision No. 67437

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Western Motor Tariff Bureau, Inc.,) Application No. 46575
a Corporation, for authority to) (Filed April 20, 1964)
cancel certain joint rate provisions.)

OPINION AND ORDER

By this application, authority is sought to cancel, on less than statutory notice, through routes and joint rates between points served by James L. Chase, doing business as Kern Valley Transfer (Kern Valley), on the one hand, and points served by William Gonzales, doing business as Gonzales Drayage Co. (Gonzales), on the other hand. Both of the carriers are highway common carriers.¹

Applicant states that the joint rates in question were established effective July 1, 1963. Subsequently Kern Valley found it expedient to establish joint rates with Haslett Warehouse Company (Haslett), which serves the same area as Gonzales as well as a greatly expanded area. These rates became effective November 26, 1963.

Applicant alleges that, since the joint rates have been in effect between Kern Valley and Haslett, joint operations have proceeded between these carriers to the complete exclusion of

¹ The rates in question are published in Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15.

Gonzales. The participation of Gonzales in applicant's Tariff No. 111 is limited to joint rates in connection with Kern Valley, and a continuation of this participation will burden Gonzales with an unwarranted expense whereby it must pay dues and participating fees to the Bureau and receive no revenue whatever from the joint rates. It is asserted that Gonzales has not received any revenue from the joint rates for at least 90 days and does not contemplate receiving any revenue therefrom in the future.

In the circumstances, it appears, and the Commission finds, that the cancellation of through routes and joint rates as proposed in this application is justified. A public hearing is not necessary. The application will be granted.

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., is hereby authorized to cancel the through routes and joint rates as proposed in this application.
2. Western Motor Tariff Bureau, Inc., is hereby authorized to cancel the participation of William Gonzales, doing business as Gonzales Drayage Co., from its tariff on file with the Commission as proposed in this application.
3. Tariff publications authorized to be made as a result of the order herein may be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and to the public.

4. 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 13rd day of June, 1964.

John E. Spahr President
Wesley H. Long
George H. Over
Franklin B. Holdhoff Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.