

Decision No. 67540

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)	
Delta Lines, Inc., for authority to)	Application No. 46689
cancel certain joint rates and)	(Filed June 3, 1964)
through routes.)	

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 Delta Lines, Inc. (Delta), on the one hand, and points served by Speedy Transport, Inc. (Speedy), on the other hand. Both of the carriers are highway common carriers.¹

Applicant states that it became a party to the joint rates and through routes at issue by virtue of its purchase of the operating rights of Vincent L. Gritsch, doing business as Peavine Transfer and Warehouse (Peavine). Delta adopted all powers of attorney and concurrences issued by Peavine among which was a concurrence issued in favor of Speedy and providing for interchange of traffic with Speedy at Bijou.

Applicant alleges that it has maintained, in compliance with regulations of the Commission, these joint rate provisions in tariffs of West Coast Freight Tariff Bureau, Inc., without interruption from September, 1961, to the present time. During this period no traffic whatsoever has been interchanged between Delta and Speedy under the tariff provisions in question and no such interchange is contemplated at any time in the future.

Applicant further alleges that, in addition to the expense of maintaining the joint rates in the aforementioned tariff, it is

¹ The rates in question are published in West Coast Freight Tariff Bureau, Inc., Local and Joint Freight Tariff No. 7, Cal.P.U.C. No. 8, of Richard A. Bennett, Agent.

required to pay separate participation fees to the Bureau for each of several publications that govern such joint rates. It is asserted that these participation fees are an undue financial burden upon applicant inasmuch as no revenue is generated under the joint rates involved. Applicant avers that its participation in such Bureau tariffs is limited to joint intrastate rates with Speedy and that the cancellation of such joint rates will not be adverse to the public interest inasmuch as the joint rate provisions at issue have never been utilized by the shipping public. Ex parte action is requested.

The certificate of service shows that a copy of the application was served on Speedy Transport, Inc., on May 28, 1964. No objection to its being granted has been received.

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. Delta Lines, Inc., is hereby authorized to cancel its participation in tariffs naming through routes and joint rates with Speedy Transport, Inc., as proposed in this application.

2. 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.

3. 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 14th day of July, 1964.

Fredrick B. Hallock
President
Edw. C. Astle
George E. Grover
William T. Deane
Commissioners

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.