

**ORIGINAL**

Decision No. 67733

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 permis-	)	Application No. 46744
sion to establish on behalf of	)	(Filed June 19, 1964)
certain of its member carriers	)	
a "Full Utilization of Carrier's	)	
Equipment" provision.	)	

OPINION AND ORDER

Western Motor Tariff Bureau, Inc., seeks authority to establish a rule providing rates for "full utilization of carrier's equipment."<sup>1</sup> The proposed rule would apply when a single shipment requires the full utilization of each of one or more units of carrier's equipment and equipment is used exclusively for transportation of such shipment only. The rule would provide for the assessment of charges based on the applicable commodity rate named in the tariff for the total weight of the shipment subject to a minimum charge per unit of equipment based on a minimum weight of 40,000 pounds at the applicable rate. The rule would also provide charges for overflow freight which exceeds the loaded capacity of one or more units of carrier's equipment and only partially loads the last unit.

Applicant states that the proposed rule is not intended primarily as a revenue measure but as a means of limiting the out-of-pocket losses incurred in the transportation of light and bulky shipments tendered in such quantities as to require the full use of one or more vehicles. Assertedly, traffic moving under the provisions of the subject tariff is generally of a compact and heavy

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<sup>1</sup> The proposed rule would be published on behalf of all carriers participating in Local Freight Tariff No. 101, Cal.P.U.C. No. 4, of Western Motor Tariff Bureau, Inc., Agent, as of June 19, 1964.

nature. However, participating carriers have recently been called upon to handle traffic under this tariff which is of a light and bulky nature, particularly in connection with relatively thin-walled but large diameter pipe. This tariff presently has no protection for the carrier against low-density freight such as has been tendered.

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

As pointed out in the application, the Commission has recently approved and authorized the establishment by other competing highway common carriers of rules similar to the one herein proposed.<sup>2</sup>

In the circumstances, it appears, and the Commission finds, that the proposed rule, including any increases in charges resulting therefrom, is justified. A public hearing is not necessary. The application will be granted.

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., is authorized to establish the rule proposed in Application No. 46744.
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 hereof on not less than thirty days' notice to the Commission and to the public.

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See Decision No. 67436 dated June 23, 1964, in Application No. 46571; Decision No. 64941 dated February 13, 1963, in Application No. 44936; Decision No. 64674 dated December 18, 1962, in Application No. 44872; Decision No. 64673 dated December 18, 1962, in Application No. 44845; and Decision No. 64672 dated December 18, 1962, in Application No. 44817.

3. The authority herein granted shall expire unless exercised within ninety 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 12th day of August, 1964.

Frederick B. Holcomb  
President  
George H. Brown  
William C. Bonds  
Commissioners