

**ORIGINAL**

Decision No. 69659

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff Bureau, Inc., under the Shortened Procedure Tariff Docket to establish a standard rule for diversion or reconsignment in certain of its tariffs.	)	Shortened Procedure Tariff Docket Application No. 47724 (Filed July 6, 1965)
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OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority to publish a standard rule for the handling of shipments requiring diversion or reconsignment.

Applicant's proposed diversion or reconsignment rule provides that where the diversion involves a change in destination, transportation charges shall be computed by applying the applicable mileage rate from origin to final destination via the point of diversion, or a combination of rates via the point of diversion, whichever produces the lower through charge. In addition, the proposed rule provides for an increase in the present charge for diversion service from \$1.56 to \$2.50 per shipment, which is in addition to all other applicable transportation charges.

According to applicant, the publication of the proposed rule has the following objectives: (1) to establish provisions for positive application of rates in connection with those participating

<sup>1</sup> This authority is sought for and on behalf of all carriers participating in Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15; Local and Joint Tariff No. 10, Cal.P.U.C. No. 2 (Interstate Freight Carriers Conference, Inc., Agent, series); and certain other named carriers who, on the date of this application, had their local rates published in tariffs other than those of Western Motor Tariff Bureau, Inc., Agent, but which rates have since been published in Tariff No. 111, effective July 31, 1965.

carriers who currently have no specific diversion or reconsignment provisions; and (2) to establish a uniform rule for diversion or reconsignment which would be made applicable to those carriers referred to in the application who are currently subject to either the reconsignment rule in Item No. 285 of Tariff No. 111 or Item No. 1340 of Tariff No. 10.

Applicant alleges that for those carriers with no present rule in their tariff for the handling of shipments requiring diversion or reconsignment, the proposed uniform rule would result in either increases or reductions depending on whether or not those carriers currently treat a diverted or reconsigned shipment as a separate shipment or as merely a continuation of the original shipment. Applicant further alleges that publication of the proposed rule, in lieu of the existing rule in Tariffs Nos. 111 and 10, would result primarily in a reduction since the present tariff rule does not make any provision for combining mileages on such shipments to construct a through rate and, consequently, the applicable rate would presumably be the combination rate over the point of diversion or reconsignment.

Applicant asserts that the overall increases resulting from application of the proposed rule would not increase the California intrastate gross revenue of any of the carriers involved by as much as one percent.

Applicant states that this application is the result of its public docket procedure applicable in connection with general commodities. The proposed rule was docketed for consideration at public hearing open to both shippers and carriers and was favorably

considered under Bureau General Commodity Docket No. 1320 on April 12, 1965. No shippers appeared at the docket hearing in opposition to the proposed publication nor did the Bureau receive any comments from shippers as a result of public docket notices sent out.

The application was listed on the Commission's Daily Calendar of July 7, 1965. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that publication of the rule as proposed in this application is justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized to publish on behalf of carriers participating in its Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15, and in Western Motor Tariff Bureau, Inc., Agent, Local and Joint Tariff No. 10, Cal.P.U.C. No. 2 (Interstate Freight Carriers Conference, Inc., Agent, series) a rule for shipments requiring diversion or reconsignment as specifically 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 thirty days after the effective date of this order on not less than thirty 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 8<sup>th</sup> day of September, 1965.

Fredrick B. Halliwell  
President  
George A. Trover  
Auditor  
William L. Bennett  
Commissioners