

**ORIGINAL**

Decision No. 70073

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff Bureau, Inc. under the Shortened Procedure Tariff Docket to publish for and on behalf of certain of its participating carriers tariff provisions resulting in increases because of the publication of a uniform rule in connection with free time and storage.	)	Shortened Procedure Tariff Docket Application No. 47978 (Filed October 19, 1965)
--	---	--

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority to publish a uniform tariff rule governing the charges for the storage of property.<sup>1</sup>

The proposed standardized rule would cancel and supersede twenty different storage rules now published in individual items of Tariff No. 111.<sup>2</sup> This rule would provide 24 hours free time for removal of a shipment or a portion thereof from carrier's premises or equipment when the rate for the shipment is based on a minimum weight of less than 10,000 pounds and 48 hours free time when the rate for the shipment is based on a minimum weight of 10,000 pounds or more. Property held after the free time specified would be subject to certain specified storage charges.

<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, hereinafter referred to as Tariff No. 111.

<sup>2</sup> The various storage rules which would be canceled by the proposed rule are now published in Items Nos. 680, 690, 700, 710, 720, 730, 740, 750, 760, 770, 775, 776, 777, 778, 779, 780, 790, 795, 797 and 798 of Tariff No. 111.

According to applicant, the present storage rules were published over a period of years as the need arose for the various carriers to establish storage rules. These rules were published on behalf of each carrier on an arbitrary basis without regard to other existing rules in the same tariff and most, if not all, of such rules contain provisions which are doubtful as to their interpretation in addition to the fact that the rates and other provisions contained in the rules have become outdated. Applicant states that the proposed storage rule can be interpreted properly by both carriers and shippers.

Applicant asserts that the proposed publication results in both increases and reductions and that the increases resulting from application of the proposed rule would not increase the California intrastate gross revenue of any of the participating carriers involved by as much as one percent.

Applicant avers that the standardized storage rule was formally considered by its General Commodity Standing Rate Committee under its Docket No. 1317 and that circularization of the proposed rule and the results of the committee's action thereon were made known to a large mailing list of carriers and shippers. No shippers or carriers registered any opposition to the establishment of the proposed rule.

The application was listed on the Commission's Daily Calendar of October 20, 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 storage rule as proposed in Appendix A of 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, the storage rule as specially 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 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 7<sup>th</sup> day of December, 1965.

Fredrick B. Halbach  
President  
John E. Mitchell  
George L. Crover  
Augustin  
William G. Service  
Commissioners