

ORIGINAL

Decision No. 70227

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:

F. S. KOHLES, Attorney and Agent,
under the Shortened Procedure Tariff
Docket to make increases in rates by
cancelling joint rates between Valley
Express Co., on the one hand, and the
following carriers, on the other:

COMMERCIAL DRAYAGE COMPANY
(Presently operating under the name
of H.A.C. Transportation Company)

INTERSTATE MOTOR LINES, INC.
(Presently operating under the name
of IML Freight, Inc.)

AND

For authority to depart from the terms
of Section 454 of the Public Utilities
Code in accomplishing proposed publica-
tion.

Shortened Procedure
Tariff Docket
Application No. 48020
(Filed November 2, 1965)

OPINION AND ORDER

By this application, authority is sought to cancel, on
statutory notice, joint rates between points served by Valley
Express Co. (Valley), on the one hand, and points served by Com-
mercial Drayage Company and Interstate Motor Lines, Inc., on the
other hand.¹

Applicant avers that Commercial Drayage Company and Inter-
state Motor Lines, Inc., are currently operating under the names of
H.A.C. Transportation Company (H.A.C.) and IML Freight, Inc. (IML),
respectively, and that the last two named carriers have refused to

¹The joint rates in question are published in F. S. Kohles, Agent,
Local and Joint Express and Freight Tariff No. 9-B, Cal.P.U.C.
No. 9 (series of Valley Express Co.).

issue powers of attorney or concurrences to him.² Consequently, the first two named carriers have not been canceled from, and the last two named carriers have not been added to, the tariff in question. It is alleged that both H.A.C. and IML serve the same points as Valley, they have not interlined any traffic with Valley and that there will be no reason to do so in the future.

Applicant declares that the shipping public will not be deprived of adequate through daily service between the points involved at the present level of joint rates as Valley is able and willing to serve such points, either locally or jointly with many other carriers. Applicant states that no need for an alternate joint route with these carriers exists.

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

The certificate of service shows that a copy of the application was mailed to Valley Express Co., H.A.C. Transportation Company, IML Freight, Inc., and California Trucking Association on October 25, 1965. The application was listed on the Commission's Daily Calendar of November 3, 1965. No objection to the granting of the application has been received.

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

²By Decision No. 62712, dated October 24, 1961, in Application No. 43800, H.A.C. Transportation Company was authorized to acquire the certificate of public convenience and necessity held by Commercial Drayage Company. The name of Interstate Motor Lines, Inc., was changed to IML Freight, Inc., by amendment to the Articles of Incorporation, dated January 30, 1964.

IT IS ORDERED that:

1. F. S. Kohles is hereby authorized to cancel joint rates 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 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 11th day of January, 1966.

Frederick B. Volzoff
President
Paul E. Montebello
George L. Hoover
Morgan
William L. Bennett
Commissioners