

ORIGINAL

Decision No. 70914

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Di Salvo Trucking Co.)
under Shortened Procedure Tariff)
Docket for authority to publish a)
rule and other provisions for the)
furnishing of power equipment for)
the loading and/or unloading, with)
the proposed provisions resulting)
in charges on a higher basis and)
level than the present applicable)
provisions of the tariffs involved.)
(Amended Title))

Shortened Procedure
Tariff Docket
Application No. 48265
(Filed February 23, 1966)
(Amended May 16, 1966)

OPINION AND ORDER

By this application, as amended, Di Salvo Trucking Company (Di Salvo) seeks authority to publish a tariff rule which would provide for the assessment of specific charges whenever Di Salvo is required to furnish power equipment for the loading and/or unloading of shipments.¹

Under the proposed rule, when applicant is requested to furnish power equipment, or when the nature of the shipment or loading and/or unloading conditions require the use thereof, or when reference is made to said rule, the following additional charges shall apply for the type of power equipment indicated:

- (a) Lift truck or fork lift - \$9.60 per hour when lift and operator capacity does not exceed two tons, minimum charge one hour.
- \$12.50 per hour when the lift capacity exceeds two tons but not five tons, minimum charge one hour.

¹
The proposed rule, which is set forth in detail in Appendix A of the amended application, would be published in the following tariffs of Western Motor Tariff Bureau, Inc., Agent: Local and Joint Tariff No. 11, Cal.P.U.C. No. 5 (Series of Interstate Freight Carriers Conference, Inc., Agent); Local Freight and Express Tariff No. 106, Cal. P.U.C. No. 11; and Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15.

- (b) Crane and operator - \$40.00 per hour when lift capacity does not exceed 25 tons, minimum charge four hours.
- (c) Winch truck and operator - \$15.00 per hour, minimum charge two hours.

When the lift capacity of the lift truck or fork lift exceeds 5 tons or the lift capacity of the crane exceeds 25 tons, actual cost to the carrier will be charged for furnishing such equipment.

Applicant states that recent informal opinions of the Commission's Transportation Division indicate that the Commission's minimum rates do not include the furnishing of power equipment by the carrier for the purpose of loading and/or unloading freight.² Applicant avers that the proposed tariff provisions would resolve any doubt as to whether an extra charge should be assessed for such services and declares that such provisions are exactly the same as those currently published by it on interstate traffic.³

Applicant asserts that the increases resulting from the proposal herein would not increase its California intrastate gross revenue by as much as one percent.

Applicant certifies that copies of the amended application were mailed to Western Motor Tariff Bureau, Inc., California Trucking Association and California Manufacturers Association. The application and the amendment were listed on the Commission's Daily Calendar of February 24 and May 18, 1966, respectively. No objection to the granting of the application, as amended, has been received.

² See Informal Rulings Nos. 75-A and 127-B dated January 14, 1966, and November 18, 1964, respectively.

³ See Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight Tariff No. 107, MF-I.C.C. No. 16.

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

IT IS ORDERED that:

1. Di Salvo Trucking Company is hereby authorized to publish a rule governing the furnishing of power equipment as proposed in the application, as amended.

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 or 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 28th day of June, 1966.

Frederick B. Haliloff
President

Robert E. Ditchell

George A. Trover

Augustus

William G. Bennett
Commissioners