

**ORIGINAL**

Decision No. 71003

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	)	Shortened Procedure
participating carriers tariff	)	Tariff Docket
provisions resulting in increases	)	Application No. 48403
because of the publication of a	)	(Filed April 15, 1966)
special rule providing special	)	
charges to be applied in connection	)	
with certain import-export shipments.	)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent, seeks authority to publish in two of its tariffs, for and on behalf of all carriers participating therein, a rule which would provide for the assessment of specified charges when the carriers are required to label packages of "in-bond" shipments of import or export freight.<sup>1</sup>

Applicant states that, when the aforementioned shipments are transported by the carriers involved herein, the United States Bureau of Customs requires such carriers to affix to each package a warning label in bright red color containing a legend, which is

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<sup>1</sup> The proposed rule would be published in Western Motor Tariff Bureau, Inc., Agent, Local and Proportional Freight and Express Tariff No. 104-A, Cal.P.U.C. No. 23, and Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15. The charges set forth in the rule for the labeling service are as follows:

<u>Number of Packages</u>	<u>Charge per Package</u>
0 - 5	25 cents, minimum \$1.00
6 - 10	20 cents, maximum \$1.50
11 - 20	15 cents, maximum \$2.00
Over 20	10 cents

specifically set forth in the proposed rule.<sup>2</sup> Applicant avers that affixing warning labels to packages is a time-consuming and expensive operation.

Applicant states that the proposed rule was formally considered by its Statewide General Commodity Standing Rate Committee under Docket No. 1485 and that the tariff provisions and the results of the Committee's action thereon were circularized. Applicant alleges that no opposition has been received from either shippers or carriers to its proposal.

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

The application was listed on the Commission's Daily Calendar of April 18, 1966. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that increases resulting from the publication of the rule as proposed in this application are 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 Local and Proportional Freight and Express Tariff No. 104-A, Cal. P.U.C. No. 23, and Local, Joint and Proportional Freight and

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<sup>2</sup> Traffic moving from one foreign country to another foreign country, which is merely passing through the United States in transit between such foreign countries, is exempt from rate regulation by the Interstate Commerce Commission under the provisions of Section 203(a)(11) of the Interstate Commerce Act.

Express Tariff No. 111, Cal.P.U.C. No. 15, a rule as proposed in the 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 19<sup>th</sup> day of July, 1966.

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President  
*George J. Hoover*  
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*Fredrick B. Holcomb*  
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*Augustus*  
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*William C. Bennett*  
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.