

ORIGINAL

Decision No. 71692

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 Western Gillette, Inc. (A California Corporation) tariff provisions resulting in increases because of the proposed cancellation of certain specific commodity rate items.

Shortened Procedure Tariff Docket Application No. 48846 (Filed October 6, 1966)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Western Gillette, Inc. (Western) to cancel the participation of Western in numerous rail competitive commodity rates.¹ Applicant also seeks authority to depart from Section 490 of the Public Utilities Code by issuing a supplement to the tariff canceling Western's participation in the various tariff items involved in lieu of individually canceling the carrier's participation in each tariff item.

Applicant states that the proposed cancellation of Western's participation in the numerous rail competitive commodity rates would, if granted, result in the application of class or commodity rates which are presently published by applicant in one of its tariffs.² Applicant alleges that Western has determined,

¹ The commodity rates are set forth in various items of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13, and are listed in an appendix attached to the application.

² The tariff is Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15.

through a study of the various rates involved, that no traffic whatsoever has moved under such rates for a period of one year or more for the reason that movements of some of the commodities no longer exist and traffic in the remaining commodities has been lost to competing carriers. Applicant avers that the continued publication of the rates, which are no longer needed, results in unnecessary tariff complications. According to applicant, the expense to Western in individually canceling its participation in the various rate items involved would be almost prohibitive.

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

The application was listed on the Commission's Daily Calendar of October 10, 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 cancellation of the rates as proposed in the application are justified and that the rates involved should be canceled individually by item number rather than by issuance of a tariff supplement. A public hearing is not necessary. The Commission concludes that the application should be granted to the extent hereinafter indicated.

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., is hereby authorized to cancel rates published on behalf of Western Gillette, Inc., as proposed in the application, except that such cancellations shall be accomplished by amending the individual items involved.
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 180 days after the effective date of this order.

4. In all other respects, the Shortened Procedure Tariff Docket Application is hereby denied.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 13th day of December, 1966.

John E. Mitchell
President

George C. Moore

Frederick B. Holhoff

Augustus

William B. Beards
Commissioners