

**ORIGINAL**

Decision No. 71985

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff	)	
Bureau, Inc. under the Shortened	)	
Procedure Tariff Docket for and on	)	Shortened Procedure
behalf of Garden City Transportation	)	Tariff Docket
Co., Ltd. to become a participant in	)	Application No. 49032
a rule providing for special provi-	)	(Filed December 19, 1966)
sions for delay time which will result	)	
in increase provisions over those	)	
presently applicable.	)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority to publish, on behalf of Garden City Transportation Co., Ltd., a rule providing for the assessment of charges for delays to motor truck equipment, which occur prior to the commencement of loading and/or unloading of shipments.

According to applicant, the above carrier's current tariff rule provides that charges for delay time shall be assessed based on the elapsed time computed from physical commencement to physical completion of the loading or unloading service. Applicant states that the carrier has found that it is often called upon to have equipment available prior to the actual commencement of loading or unloading operations with the result that the carrier's equipment must sit idly by until the shipper or consignee is able to commence loading or unloading.

---

<sup>1</sup>  
The proposed rule is contained in Item No. 252 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15.

Applicant proposes generally to apply the same charges for delays occurring prior to actual commencement of loading or unloading operations as now apply for delays that occur after the commencement of such services. Applicant also proposes that these charges generally apply when the period of time between tender and actual placement of carrier's equipment exceeds 30 minutes and such delays are due to the shipper's and/or consignee's inability to accept the carrier's equipment for actual placement. Applicant alleges that the proposed tariff rule is necessary in order that traffic involving the aforementioned delays will not become an undue burden on other traffic.

Applicant asserts that increases resulting from establishment of the proposed rule would not increase the California intrastate gross revenue of Garden City Transportation Co., Ltd., by as much as one percent.

The application was listed on the Commission's Daily Calendar of December 20, 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 publication of the rule as proposed in the 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., is hereby authorized to publish, on behalf of Garden City Transportation Co., Ltd., a rule governing delay time in the loading and/or unloading of shipments 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 granted herein 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 February, 1967.

John E. Mitchell  
President

Stallman B. Bennett

Augusta

William J. Agnew, Jr.

Shed P. Mossing  
Commissioners