

ORIGINAL

Decision No. 72708

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)	
Western Motor Tariff Bureau, Inc.,)	
to establish substitution of rail)	
carrier service for motor carrier)	Application No. 49347
service for and on behalf of)	(Filed May 4, 1967)
Associated Freight Lines in accordance)	
with the provisions of Section Nos.)	
490 and 491 of the Public Utilities)	
Code.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc. (WMTB), for and on behalf of the carriers parties hereto, seeks authority to publish, on five days' notice, tariff rules necessary to permit Associated Freight Lines to avail itself of trailer-on-flatcar facilities of Southern Pacific Company as a substitute for highway service between Los Angeles, on the one hand, and Oakland, Roseville, San Francisco, San Jose and Stockton, on the other hand.¹ Authority is also sought to depart from the provisions of Section 490 of the Public Utilities Code to permit the publication of the proposed tariff provisions.

Associated Freight Lines possesses a certificate of public convenience and necessity from this Commission authorizing service between points for which substituted service authority is sought herein. According to the application, Southern Pacific Company will substitute its rail service for that of Associated Freight Lines, at

¹ Applicant proposes to amend: Item 370 of WMTB Tariff No. 109; Item 810 of WMTB No. 111; Item 715 of WMTB Tariff No. 101; the participating carrier index and Item 30 of WMTB Substituted Freight Service Directory No. 1; and the circle 3 reference shown in connection with the participation of Southern Pacific Company on Page 21-A of WMTB No. 100.

the option of the latter, and at the rates now applicable via Associated Freight Lines for service performed entirely by truck. The proposed tariff publications would provide that rail substituted service will not be used if the shipper so directs.

The verified application shows that a copy thereof was mailed to California Trucking Association on or about May 3, 1967. The application was listed on the Commission's Daily Calendar of May 5, 1967. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the establishment of substituted rail service as specifically proposed in the application, on five days' notice, will not be adverse to the public interest. 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 Associated Freight Lines and Southern Pacific Company, tariff provisions for substituted rail service as proposed in the application and to depart from the provisions of General Order No. 80-A to the extent necessary to publish the tariff provisions as proposed in said application.
2. The carriers named in the above-numbered application are hereby authorized to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code in connection with rates that are currently maintained for the account of Associated Freight Lines under outstanding long- and short-haul authorities.

3. Tariff publications authorized to be made as a result of the order herein may be made effective not earlier than five days after the effective date hereof on not less than five days' notice to the Commission and the public.

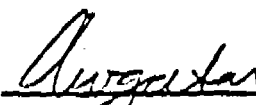
4. The authority herein granted shall expire unless exercised within 120 days after the effective date hereof.

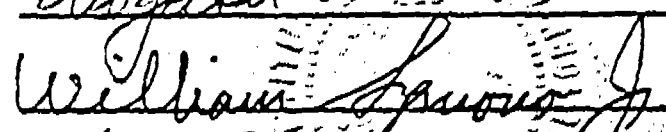
This order shall become effective twenty days after the date hereof.

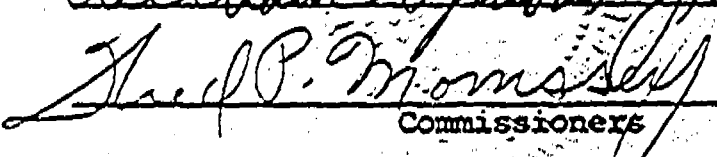
Dated at San Francisco, California, this 6th day of July, 1967.



President







Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.