

ORIGINAL

Decision No. 73582

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application for authority to make effective increases in local and joint rail and joint rail-highway freight rates and charges.

Application No. 49493

In the Matter of the Investigation into the rates, rules, regulations, charges, allowances and practices of all common carriers, highway carriers and city carriers relating to the transportation of any and all commodities between and within all points and places in the State of California (including, but not limited to, transportation for which rates are provided in Minimum Rate Tariff No. 2).

Case No. 5432
(Order Setting Hearing
Dated August 29, 1967)

And related matters.

Cases Nos. 5330, 5433, 5435,
5436, 5437, 5438,
5439, 5440, 5441,
5603, 5604, 7857,
7858.

SUPPLEMENTAL OPINION AND ORDER

By Petition for Modification, California Trucking Association seeks amendment of ordering paragraph No. 7 of Decision No. 73520, dated December 19, 1967, in these proceedings. Specifically it seeks authority on behalf of common carriers to maintain rate relationships previously established whereby rates have been published at levels above the competitive rail rates. Such rate differentials, petitioner states, ordinarily reflect shipper-carrier agreements responsive to marketing relationship and added service to be provided by motor carrier service.

It is alleged that the proposed modification is consistent with historical handling of such common carrier problems; will provide common carriers with the same opportunity for permissive rate adjustments available to all other classes of carriers subject to this order; is consistent with the expressed intent of the Commission decision in disposing of the Order Setting Hearing phase of this matter; will provide common carriers with the opportunity to maintain tariff differentials desired by their shippers; will minimize the need for individual common carrier applications; and will avoid unnecessary time and expense on the part of both applicants and the Commission.

In the circumstances, it appears and the Commission finds that the increases which will result from the adoption of petitioner's proposal are justified. A public hearing is not necessary. The Commission concludes that the petition should be granted.

IT IS ORDERED that:

1. Ordering paragraph No. 7 of Decision No. 73520, dated December 19, 1967, in these proceedings is hereby amended to read as follows:

7. Common carriers maintaining, under outstanding authorization permitting the alternative use of rail rates, rates below the specific minimum rate levels otherwise applicable, are authorized and directed to increase such rates to the level of the rail rates established pursuant to the authority granted in paragraph No. 1 hereof or to the level of the otherwise applicable specific minimum rates, whichever is lower. To the extent such common carriers have maintained such rates at differentials above previously existing rail rates, they are authorized to increase such rates by the amounts authorized in paragraph No. 1 hereof; provided, however, that such increased rates may not be lower than the rates established by the rail

lines pursuant to the authority granted in paragraph No. 1 hereof, nor higher than the otherwise applicable minimum rates.

2. In all other respects, Decision No. 73520, supra, shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 3rd day of JANUARY, 1968.

[Signature]
President
[Signature]
[Signature]
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Commissioners