

ORIGINAL

Decision No. 73601

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)	Shortened Procedure
for and on behalf of Sterling)	Tariff Docket
Transit Company, Inc. classification))	Application No. 49719
provisions resulting in increases)	(Filed October 9, 1967)
because of proposed changes in)	(Amended November 2, 1967)
classification regulations.)	

OPINION AND ORDER

By this application, as amended, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Sterling Transit Company, Inc. (Sterling), to publish in one of its tariffs an exception rating of third class, minimum weight 30,000 pounds, for the transportation of various commodities when their densities are less than 10 pounds per cubic foot.¹

Applicant alleges that Sterling has been called upon with considerable frequency to handle the commodities involved and the carrier has found that the revenue accruing under the currently applicable truckload ratings is inadequate even though Sterling operates sets of high-cube doubles. Applicant cites, as examples, revenues of \$90.00 and \$139.00, which currently are obtained for shipments of the commodities in question when transported from the Los Angeles area to Bakersfield and Oakland, respectively.

The proposed classification exception rating would in effect establish a cubic foot rule for truckload traffic. The Commission has generally rejected rate provisions which are founded on

¹ Applicant proposes to publish the rating in its Exception Sheet No. 1-A, Cal.P.U.C. No. 18. The commodities involved are described in Exhibit A attached to the application and are currently subject to truckload ratings of 2nd, 3rd and 4th class, minimum weights 10,000, 20,000 and 30,000 pounds, respectively.

cubic measurement rules (Decision No. 56266 dated February 18, 1958, in Application No. 38434 and Case No. 5840). The present ratings for the commodities involved were established after review by the Commission in considerable detail in connection with the 1964 revisions of the classification (63 Cal.P.U.C. 728). The normal procedure for amendment to classification ratings is first to take the matter to the National Motor Freight Traffic Association. Apparently, applicant has not done so.

It has been a long standing policy of the Commission that for an exception rating to be justified it must be established that the transportation characteristics or conditions in California intrastate traffic of the item in question are different than elsewhere, or that the characteristics are similar to many other articles presently enjoying the sought rating (61 Cal.P.U.C. 162). Applicant has not established that there are any differences in the characteristics of the California intrastate traffic which would justify the exception rating sought.

The Commission finds that the sought increases have not been shown to be justified and concludes that the application should be denied.

IT IS ORDERED that Application No. 49719, as amended, is denied.

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

Dated at San Francisco, California, this 9th day of January, 1968.

Richard L. Mitchell
President
William L. Bennett
Augustus
William James J.
Jack P. Moussey
Commissioners