

**ORIGINAL**

Decision No. 73798

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application )  
of B. B. MAURER, AGENT, for )  
authority to increase Demurrage )  
and Storage Charges on California )  
Intrastate traffic commensurate )  
with Interstate Demurrage and )  
Storage Charges. )

Application No. 49936  
(Filed January 10, 1968)

OPINION AND ORDER

By this application, B. B. Maurer, Agent, Trunk Line-Central Territory Railroads, on behalf of California rail carriers, seeks authority on one day's notice to amend certain demurrage and storage rules applicable to California intrastate traffic to correspond with revisions in such rules, which became effective March 1, 1968, on interstate traffic and intrastate traffic in various states other than California.

Applicant proposes to revise these rules as specifically set forth in Exhibit "A" attached to the application. These revisions would: (1) cancel the provisions for additional free time which is allowed to offset time lost through inspection and release by government agencies; (2) permit shippers to file strike claims within 30 days of the date of the demurrage bill; (3) provide that the storage charge of 33 cents per 100 pounds per day, minimum charge 69 cents per shipment, for less-than-carload shipments of certain dangerous articles would also apply to dangerous articles when they require blue caution labels; and (4) provide that the

storage charge of \$5.44 per car per day for shipments of certain dangerous articles held in cars on railroad premises would also apply, under the same circumstances, to shipments which require "Dangerous Radioactive Material" or "Flammable Poison Gas" placards.

Applicant states that detention of cars awaiting inspection and release by government agencies involves detention over which the railroads have no control and that the carriers should not underwrite any allowance for such detention. Applicant avers that the proposed changes pertaining to the filing of strike claims and the charges for the storage of certain dangerous articles are respectively in the interest of clarification and in line with the requirements of the Interstate Commerce Commission. Applicant asserts that the purpose behind the proposed changes is to bring about a permanent improvement in the availability and utilization of freight cars.

Copies of the application were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about January 8, 1968. The application was listed on the Commission's Daily Calendar of January 11, 1968. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rule amendments are reasonable and that increases in charges resulting from the application of such rule amendments are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. B. B. Maurer, Agent, on behalf of the rail carriers listed in Appendix A attached to Application No. 49936, is authorized to amend the rules in his Freight Tariff 4-H as proposed in Exhibit "A" of said application.

2. Tariff publications authorized to be made as a result of the order herein may be made effective not earlier than one day after the effective date of this order on not less than one day's notice to the Commission and to the public.

3. The authority herein granted 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 5th day of March, 1968.

President

Stallman, Bernard

Wagon

William J. Agnew

Jack P. Mansueti  
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.