

ORIGINAL

Decision No. 74239

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF )  
JOHN V. TYLER AND R. G. CARLSON dba )  
TYLER BROS. DRAYAGE CO., under the )  
Shortened Procedure Tariff Docket, )  
to make increases in rates in its )  
Local Freight Tariff No. 2, Cal. )  
P.U.C. No. 2 as set forth in this )  
Application )

Shortened Procedure  
Tariff Docket  
Application No. 50138  
(Filed April 4, 1968)

AND )

For authority to depart from the terms )  
of Section 454 of the Public Utilities )  
Code in accomplishing the proposed )  
publication )

OPINION AND ORDER

By this application, John V. Tyler and R. G. Carlson, doing business as Tyler Bros. Drayage Co., seek authority (1) to publish in their tariff hourly rates for transportation services when exclusive use of the carrier's equipment is requested by the shipper; (2) to publish additional charges for such services when they are performed at other than regular working hours or working days; and (3) to cancel the provisions in their tariff concerning the assessment of additional charges for services performed on Saturdays, Sundays and holidays.<sup>1</sup>

Applicants state that they canceled from their Tariff No. 2 provisions naming rates or charges for special trip service on

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<sup>1</sup>The proposed rule would be published in applicants' Local Freight Tariff No. 2, Cal.P.U.C. No. 2 (Tariff No. 2). The provisions which applicants propose to cancel are contained in Item No. 210 of the above tariff.

May 10, 1968, for the reason that losses would result if the carrier were called upon to render special services under such rates or charges. Applicants aver that the rates or charges for special trip service and for service at other than regular working hours or working days have been in effect without change since February 23, 1953, and November 16, 1957, respectively, and that these rates or charges are obsolete and inadequate.

According to applicants, three of its customers<sup>2</sup> have expressed a desire that provisions for special trips be reinstated in their Tariff No. 2 and that these shippers are agreeable to the payment of charges for such services, which are based on the Commission's hourly vehicle unit rates for transportation within the City and County of San Francisco and additional charges based on the prevailing wage rates for overtime when the services are performed outside of regular working hours and on Saturdays, Sundays and holidays.<sup>3</sup> Applicants allege that their operations are based in San Francisco, that they perform services as highway common carrier within the San Francisco Bay Territory and that their costs are commensurate with those of city carriers performing services within the City and County of San Francisco. Applicants declare that the proposed rates, which are on the level of the aforementioned minimum rates, fully meet the needs of their customers.

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<sup>2</sup>Attached to the application as Exhibits "B," "C," and "D" are letters from Macy's California, Standard Oil Company of California and Pacific Gas and Electric Company, respectively, supporting applicants' proposal.

<sup>3</sup>See Item No. 560 of City Carriers' Tariff No. 1-A.

Applicants assert that increases resulting from the proposal herein would not increase their California intrastate gross revenue by as much as one percent.

Copies of the application were mailed to California Trucking Association, various chambers of commerce and interested shippers on March 29, 1968. The application was listed on the Commission's Daily Calendar of April 5, 1968. 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 and cancellation of rates and charges 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:

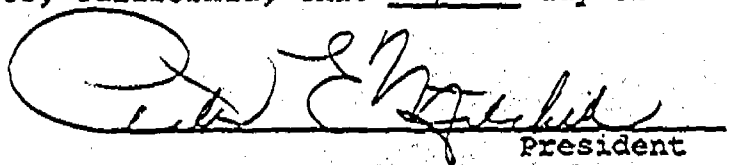
1. John V. Tyler and R. G. Carlson are hereby authorized to cancel Item No. 210 from their Local Freight Tariff No. 2, Cal. P.U.C. No. 2, and to publish in such tariff rates and charges as specifically proposed in the application.



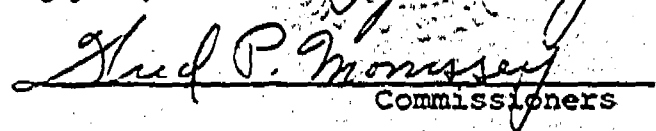
2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and to the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

3. The authority 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 Los Angeles, California, this 11<sup>th</sup> day of June, 1968.

  
President

  
Attorney  
  
William M. Bennett  
  
Fred P. Morrissey  
Commissioners

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