

Decision No. 74649

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of: )  
 )  
 C. R. Nickerson, Agent and Attorney, )  
 for and on behalf of GIBRALTAR WARE- )  
 HOUSES, Charles L. Tilden, Jr., and )  
 Irving S. Culver, dba, under outstand- )  
 ing Power of Attorney, on file with )  
 the Commission, under the shortened )  
 procedure Tariff Docket, to establish )  
 and maintain new Item 235, in Pacific )  
 Coast Tariff Bureau Local Freight )  
 Tariff No. 15, Cal.P.U.C. No. 18, of )  
 Agent C. R. Nickerson providing )  
 increased provisions covering Delays )  
 to Equipment on shipments weighing )  
 less than 10,000 pounds, as more )  
 fully set forth elsewhere in this )  
 application. )

Shortened Procedure  
 Tariff Docket  
 Application No. 50420  
 (Filed July 24, 1968)

-AND-

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

OPINION AND ORDER

By this application C. R. Nickerson, Agent, for and on behalf of Charles L. Tilden, Jr., and Irving S. Culver, doing business as Gibraltar Warehouses (Gibraltar), seeks authority to establish a charge of \$8.85 per hour, minimum charge \$3.70, for delay time in excess of one-half hour that occurs at place of pickup and/or delivery on shipments weighing less than 10,000 pounds. The proposed charge would not apply to the time actually consumed in loading or unloading.

Applicant avers that, in many instances, the carrier is called upon to pick up less truckload shipments at a specified time,

and, after arrival at place of pickup, delays ranging from one to two hours occur through no fault of Gibraltar. Applicant alleges that there are also many instances, when the carrier has, for reasons beyond its control, encountered long delays at destination before delivery could be accomplished. Applicant declares that, when delays occur, labor costs alone frequently exceed the revenue accruing under the current tariff provisions. According to applicant, the proposed charge for delays to equipment on small shipments will enable Gibraltar to offset a portion of the cost occasioned by such delays.

Applicant asserts that the increases resulting from the tariff provisions proposed herein would not increase the intrastate gross revenue of Gibraltar by as much as one percent.

The application was listed on the Commission's Daily Calendar of July 25, 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 of the charge for delays to equipment 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. C. R. Nickerson, Agent, is hereby authorized to publish in Pacific Coast Tariff Bureau Local Freight Tariff No. 15, Cal. P.U.C. No. 18, for and on behalf of Charles L. Tilden, Jr., and Irving S. Culver, doing business as Gibraltar Warehouses, a charge for delays to equipment 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 San Francisco, California, this 11<sup>th</sup> day of September, 1968.

William Synoux Jr.  
President  
John P. Mitchell  
William L. Bennett  
Augusta  
Paul P. Monissey  
Commissioners