

Decision No. 75290

**ORIGINAL**

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 for and on behalf of Alco Transportation Co. tariff provisions resulting in increases because of the publication of a revised rule dealing with full utilization of carrier's equipment	)	
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	)	Shortened Procedure Tariff Docket
	)	Application No. 50707
	)	(Filed November 27, 1968)
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OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., for and on behalf of Alco Transportation Co. (Alco), seeks authority to include Alco as a participant in a rule in one of its tariffs pertaining to full utilization of carrier's equipment and concurrently to cancel the carrier's participation in another rule in the same tariff governing the use of said carrier's equipment.<sup>1</sup>

Applicant proposes to assess charges by applying the Class 35 rate subject to minimum weights of 20,000, 36,000 and 40,000 pounds when the length of loading space in the carrier's equipment is respectively 20 feet or less, over 20 feet but not over 35 feet and over 35 feet and the nature of the commodity transported is such that the equipment used cannot be, or at the shipper's option is not, loaded to its legal capacity. Applicant further proposes to assess such charges only when they are higher than those which would accrue under the applicable rate at actual weight of the shipment.

<sup>1</sup>The current and proposed tariff rules are published in Items Nos. 395 and 296 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15 (Tariff No. 111).

Applicant states that Alco handles a substantial quantity of high cubic volume, low-density freight and that full utilization of the carrier's equipment is not being achieved under the current tariff rule.<sup>2</sup> While the present and proposed rules deal with full utilization of the carrier's equipment, applicant alleges that the carrier's compensation under the current rule is considerably less than that which would be obtained under the proposed rule. Applicant avers that the proposed rule would provide for the assessment of greater charges for full utilization of the carrier's higher-capacity equipment as the charges vary according to the loading space in such equipment.

Applicant asserts that increases resulting from the proposal herein would not increase the California intrastate gross revenue of Alco by as much as one percent.

The application was listed on the Commission's Daily Calendar of November 29, 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 participation of Alco Transportation Co. in the full-utilization-of-equipment rule 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. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized to include Alco Transportation Co. as a participant in Item No. 296 of its Local, Joint and Proportional Freight and

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<sup>2</sup>Item No. 395 of Tariff No. 111 essentially provides that the carrier will not be paid any less compensation for use of a unit of its equipment than it would obtain for the transportation of a truckload shipment of the same commodity under the applicable truckload rate and minimum weight.

Express Tariff No. 111, Cal.P.U.C. No. 15, and concurrently to cancel the participation of said carrier from Item No. 395 of that tariff as 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 granted herein 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 4<sup>th</sup> day of February, 1969.

William J. Synovay, Jr.  
President

Richard J. ...

Fred P. Morrissey

Thomas M. ...

Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.