

Decision No. 75508

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)	Shortened Procedure
for and on behalf of Universal)	Tariff Docket
Transport System, Inc. tariff)	Application No. 50799
provisions resulting in increases)	(Filed January 6, 1969)
because of the publication of a)	(Amended February 25, 1969)
revised rule dealing with time)	
allowance for loading and unload-)	
ing of carrier's equipment.)	

OPINION AND ORDER

By this application, as amended, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Universal Transport System, Inc. (Universal), to cancel Universal's participation in a rule in one of its tariffs pertaining to time allowances for loading and unloading and, in lieu thereof, to publish a revised rule¹ concerning such time allowances.

Applicant proposes: (1) to publish time allowances for loading and unloading and provisions for computation of loading time that are essentially the same as those which are currently in effect; (2) to provide that unloading time shall commence at the time specified by the consignor when the shipment is tendered for unloading by the carrier on or prior to the designated loading time and that, when unloading time is not specified by the consignor, unloading time shall commence when the shipment is tendered for unloading by the carrier and such tender is during plant operating hours; (3) to require that the consignor shall be liable for all charges accruing during the loading process; (4) to provide that the consignor shall be liable for charges accruing during the unloading process when it prepays the charges on a shipment and it is notified that the shipment is being held for

¹ The tariff involved is Western Motor Tariff Bureau, Inc., Agent, Local Freight Tariff No. 17, Cal.P.U.C. No. 21.

disposition by such shipper; and (5) to require that the consignee shall be liable for charges accruing during the unloading process in all other instances. The proposed rule is set forth in detail in Amended Appendix "1" attached to the amendment to the application.

Applicant states that the present rule is not satisfactory and that the proposed rule reflects the results of a study made by Universal into the matter of loading and unloading conditions as they relate to operations conducted by the carrier. Applicant avers that the proposed provisions for the computation of time would provide Universal with a more workable arrangement.

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

The application and amendment were listed on the Commission's Daily Calendar of January 7 and February 26, 1969, respectively. No objection to the granting of the application, as amended, has been received.

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

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized to publish, on behalf of Universal Transport System, Inc., in its Local Freight Tariff No. 17, Cal.P.U.C. No. 21, a rule as specifically proposed in the application, as amended.

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 1st day of April, 1969.

William Symons, Jr.
President

Augustin

Richard P. Morrison

William H. ...

Commissioners