

ORIGINAL

Decision No. 75565

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 Churchill)	Tariff Docket
Transportation Company tariff)	Application No. 50935
provisions resulting in increases)	(Filed March 6, 1969)
because of the cancellation of a)	
certain specific commodity rate item.))	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., on behalf of Churchill Transportation Company (Churchill), seeks authority to cancel from one of its tariffs, certain commodity rates on fertilizer.¹ Under this proposal, class rates in Tariff No. 111 would apply upon cancellation of the rates in question.

Applicant states that fertilizer is exempt from the application of the Commission's minimum rates under the provisions of Minimum Rate Tariff No. 2. Applicant alleges that the rates in question have been in effect for some time as they have not been subject to increases that have been prescribed for nonexempt commodities. Applicant avers that the subject rates, which have not been used for a considerable length of time, would constitute a latent threat to the carrier's revenue requirements in the event that such rates should be activated by a shipper in the future. Applicant contends that the class rates, which would apply upon cancellation of the involved commodity rates, will yield a compensatory revenue to Churchill.

¹The rates are set forth in Item No. 4622 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight Express Tariff No. 111, Cal. P.U.C. No. 15 (Tariff No. 111), and generally apply between Hemet and San Jacinto, on the one hand, and various Southern California points, on the other hand, with minimum weight provisions of 4,000, 10,000 and 20,000 pounds.

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

The application was listed on the Commission's Daily Calendar of March 10, 1969. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that increases resulting from cancellation of the commodity rates on fertilizer as specifically 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, on behalf of Churchill Transportation Company, to cancel rates in its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15, 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 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 15th day of April, 1969.

William J. S. J.
President

Augusta

Fred P. Morrissey

W. J. J. J.

G. J. J.
Commissioners