

**ORIGINAL**

Decision No. 75640

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor	)	
Tariff Bureau, Inc. under the	)	
Shortened Procedure Tariff Docket	)	Shortened Procedure
to publish for and on behalf of	)	Tariff Docket
Padre Freight Lines tariff	)	Application No. 50825
provisions resulting in increases	)	(Filed January 20, 1969)
because of the proposed amendment	)	(Amended March 12, 1969)
to minimum charge per shipment rule.)	)	

OPINION AND ORDER

By this application, as amended, Western Motor Tariff Bureau, Inc., seeks authority, for and on behalf of Padre Freight Lines (Padre), to publish provisions for the assessment of charges for the transportation of property on or in the last unit of the carrier's equipment when more than one unit of equipment is required to complete the loading of a single shipment.<sup>1</sup>

Applicant states that the rates named in Tariff No. 101 generally apply to the transportation of iron or steel or iron or steel articles and that Padre transports these commodities in flat-bed equipment with a floor space area of 320 square feet (40 feet by 8 feet). Applicant avers that it is not unusual for shippers to tender to Padre flat iron or steel plate 32 feet long and 6 or more feet wide. Applicant contends that several portions of such a shipment occupy two or more trailers and that the weight of the overflow portion of the shipment loaded in the last unit of equipment averages 24,000 pounds. Applicant alleges that other

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<sup>1</sup> The current provisions, which are published in Item No. 538 of Western Motor Tariff Bureau, Inc., Local and Proportional Freight Tariff No. 101, Cal.P.U.C. No. 4 (Tariff No. 101), allow for the assessment of charges at the applicable rate for the actual weight of the property transported in the last unit of equipment. Under the proposed provisions such charges would be assessed at the applicable rate based on a minimum weight of 40,000 pounds.

commodities cannot be loaded on the last trailer as the iron or steel articles cover a large portion of the floor area and the blocking placed under these articles prevents such other loading on any side.

Applicant declares that the rates set forth in Tariff No. 101 are rail competitive rates, which are on a lower level than the minimum rates presently prescribed by the Commission, and that Padre does not have a normal margin of profit to offset the handling of the aforementioned commodities in partially loaded equipment. According to applicant, the carrier is operating without a profit or at a loss when it performs such transportation services.

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

The application and amendment were listed on the Commission's Daily Calendar of January 21 and March 14, 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 the proposal herein 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 a revision to Item No. 538 of its Local and Proportional Freight Tariff No. 101, Cal.P.U.C. No. 4, 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 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 2nd day of May, 1969.

William S. Young, Jr.  
President  
Augustus  
J. P. Vukasin, Jr.  
J. P. Morassey  
Commissioners

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