

Decision No. 75715

**ORIGINAL**

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
Di Salvo Trucking Co. tariff	)	Application No. 50992
provisions resulting in increases	)	(Filed April 8, 1969)
because of the proposed cancella-	)	
tion and/or amendment of certain	)	
specific rail commodity rate items.	)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Di Salvo Trucking Co. (Di Salvo), to cancel certain 60,000- and 80,000-pound commodity rates for the transportation of iron or steel articles from northern California points to southern California points.<sup>1</sup>

Applicant states that the rates involved are rail competitive commodity rates, which were considered necessary at the time that they were established in order that Di Salvo could compete with the railroads and other highway carriers. Applicant alleges that no shipments of iron or steel articles have moved under such rates within the last year.

Applicant contends that rail rates tend to remain on a stationary basis and cites the fact that there has been only one general rail rate increase in the last several years.<sup>2</sup> Applicant avers that Di Salvo costs are constantly increasing and that the carrier must safeguard itself against rates such as those herein

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<sup>1</sup> The rates are published in Western Motor Tariff Bureau, Inc., Agent, California Common Carrier Motor Freight Local and Joint Tariff No. 11, Cal.P.U.C. No. 5, Interstate Freight Carriers Conference, Inc., Agent Series.

<sup>2</sup> Decision No. 75135 dated December 20, 1968, in Application No. 50445.

proposed to be canceled. Applicant declares that the aforementioned rates constitute a latent threat to the carrier's rate structure.

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

The application was listed on the Commission's Daily Calendar of April 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 rates 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., is hereby authorized, on behalf of Di Salvo Trucking Co., to cancel rates from its California Common Carrier Motor Freight Local and Joint Tariff No. 11, Cal.P.U.C. No. 5, Interstate Freight Carriers Conference, Inc., Agent, Series, 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 Los Angeles, California, this 27<sup>th</sup> day of May, 1969.

*William S. ...*  
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President

*J. P. ...*  
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Commissioners

*[Signature]*  
\_\_\_\_\_  
Commissioners

Commissioner A. W. Gatev, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.