

ORIGINAL

Decision No. 76126

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Leland C. Smith,)	
Agent Pacific Motor Tariff Bureau,)	Shortened Procedure
Inc., under the Shortened Pro-)	Tariff Docket
cedure Tariff Docket to cancel)	Application No. 51246
rates on exempt commodities result-)	(Filed July 15, 1969)
ing in increases in rates.)	

OPINION AND ORDER

By this application, Leland C. Smith, Agent, seeks authority, on behalf of various carriers, to cancel rates for the transportation of certain commodities from and to points in northern and central California.¹ Upon cancellation of the rates as proposed, higher class rates would apply.

Applicant states that the transportation involved is exempt from the Commission's established minimum rates and that the carriers originally maintained rates for this transportation at a level slightly lower than the class rates, which would otherwise be applicable. Applicant alleges that, though the class rates have been increased repeatedly in the past seven years, the rates in question have not been increased and are noncompensatory.

Applicant avers that there has been no movement under these rates for some time.

¹ The rates are set forth in Items Nos. 1534.5, 1560, 1575, 1576, 1579½, 1580, 1590, 1591, 1595, 1661 and 1661.2 of Pacific Motor Tariff Bureau, Inc., Local Freight and Express Tariff No. 2-A, Cal.P.U.C. No. 1 Freight and Express (series of D. W. Baker, Agent). The commodities are milk, cream, ice cream mix, cheese, eggs, egg cases returning, hops, sulphur, fertilizer, insecticides, fungicides, dried vegetables and motion picture film.

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

The application was listed on the Commission's Daily Calendar of July 17, 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 the cancellation of rates as specifically proposed in the application are justified. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. Leland C. Smith, Agent, is hereby authorized, on behalf of the carriers participating in his Local Freight and Express Tariff No. 8-A, Cal.P.U.C. No. 1 Freight and Express (series of D. W. Baker, Agent), to cancel rates 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 San Francisco, California, this 3rd day of September, 1969.

William J. Quinn
President
Augustine
W. J. Quinn
Vernon L. Sturgeon
Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.