

Decision No. 76476

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of West Transportation,)
 Inc. under the Shortened Procedure)
 Tariff Docket to publish a rule)
 governing shipments which require)
 the use of more than one unit of)
 carrier's equipment which results)
 in increases; and to depart from)
 the provisions of Section 460 of)
 the Public Utilities Code.)

(SPT) Application No. 51247
 (Filed July 15, 1969)
 (Amendment Filed Oct. 14, 1969)

OPINION AND ORDER

By this application, as amended, West Transportation, Inc., seeks authority to publish a rule in its tariff providing for the assessment of charges for the transportation of property, which is subject to the application of railhead rates and requires the use of more than one unit of carrier's equipment.^{1/} Applicant also requests relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code in making such publication.

Applicant proposes, in connection with the above transportation, that: (1) each unit of equipment, except the one carrying the excess, shall be loaded to its full space carrying capacity; (2) the charges for each fully loaded unit of equipment shall be assessed based on the applicable railhead rate for the shipment at the actual weight of the property transported on the unit but not less than the minimum weight applicable to the shipment of less than 40,000 pounds or 40,000 pounds if the applicable minimum weight is that amount or greater; and (3) the charges for the excess shall be

^{1/} The tariff is Local, Joint and Proportional Freight Tariff No. 1, Cal.P.U.C. No. 1, of West Transportation, Inc.

(SPT A. 51247)

assessed based on the applicable railhead rate for the shipment at the actual weight of the excess.

Applicant states that, from time to time, it is called upon to transport under railhead rates shipments which, because of size, shape or bulk, require the use of more than one unit of equipment. Applicant alleges that, in many instances, the revenue derived by it for this transportation does not cover the cost of performing the service as the applicable railhead rates do not give consideration to highway carrier costs. Applicant avers that the proposed rule is designed to compensate it properly for the services involved.

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

The application and amendment thereto were listed on the Commission's Daily Calendars of July 17, and October 15, 1969 . respectively. There are no protests.

In the circumstances, it appears, and the Commission finds, that increases resulting from publication of the rule as 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. West Transportation, Inc., is hereby authorized to publish a rule in its Local, Joint and Proportional Freight Tariff No. 1, Cal. P.U.C. No. 1, as specifically proposed in the application.

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2. West Transportation, Inc., is hereby authorized to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code to the extent necessary to exercise the authority granted herein.

3. 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.

4. 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 25th
day of NOVEMBER, 1969.

William J. ...
President

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Vernon L. ...
Commissioners