

ORIGINAL

Decision No. 76730

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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|---------------------------------------|--------------------------|
| Application of Western Motor Tariff) | |
| Bureau, Inc. under the Shortened) | |
| Procedure Tariff Docket to publish) | Shortened Procedure |
| for and on behalf of Ringsby-) | Tariff Docket |
| Pacific Ltd. tariff provisions) | Application No. 51521 |
| resulting in an increase because) | (Filed December 2, 1969) |
| of the proposed cancellation of) | |
| specific commodity rates published) | |
| under alternative application) | |
| provisions.) | |

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Ringsby-Pacific Ltd. (Ringsby), to cancel various commodity rates in one of its tariffs. Upon cancellation of the rates as proposed, higher class and commodity rates would apply.

Applicant declares that the rates in question are rail competitive rates, which were published to permit Ringsby to compete with rail and highway carriers. Applicant avers that a study by Ringsby of the aforementioned rates indicates that traffic has never moved under most of these rates and that all of these rates are no longer in active use.

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The rates, which are set forth in detail in Appendix "A" attached to the application, are published in Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13.

Applicant contends that rail rates tend to remain stationary at levels below those which are compensatory for motor carriers. Applicant alleges that the involved rail competitive rates constitute a latent threat to the carrier's future revenue requirements.

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

The application was listed on the Commission's Daily Calendar of December 3, 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 to cancel rates published on behalf of Ringsby-Pacific Ltd. 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 Diego, California, this 3rd day of February, 1970.

William S. Quora
President

J. P. [Signature]

[Signature]

Vernon L. Stungen
Commissioners

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