

ORIGINAL

Decision No. 76762

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff)	
Bureau, Inc. under the Shortened)	
Procedure Tariff Docket to publish)	Shortened Procedure
for and on behalf of certain of its)	Tariff Docket
participating carriers certain tariff)	Application No. 51528
provisions resulting in increases)	(Filed December 5, 1969)
because of proposed publication of a)	
rule for furnishing power equipment)	
for loading and/or unloading.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority to cancel from one of its tariffs the individual rules of PCP Transportation Company (PCP) and System 99 (System) pertaining to charges for forklift service, and in lieu thereof, to publish the participation of these carriers in another rule in the same tariff governing charges for the use of power equipment for loading or unloading shipments.¹

Applicant avers that the rule in which PCP and System propose to participate provides that, if power equipment is required by the shipper or consignee, the carrier will, upon request, arrange for such equipment to be furnished and the cost therefor will be shown on the transportation bill as charges advanced.² Applicant

1

The tariff involved is Western Motor Tariff Bureau, Inc., Agent, Local and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15 (Tariff No. 111).

2

The rule is set forth in Item No. 445 of Tariff No. 111.

states that the rules which it proposes to cancel require that PCP and System assess hourly charges when they perform the aforementioned service.³

Applicant declares that the three rules involved allow the shipper or consignee to supply power loading equipment when such equipment is required to load or unload shipments and that the shippers and consignees use their own equipment or rented equipment in those instances where their costs are lower than the current charges of PCP and System. Applicant alleges that, in most instances, the carriers involved must rent power loading equipment in the immediate vicinity of the locations where the service is required. Applicant contends that the rental charges for power loading equipment vary from place to place and that, due to such variance, PCP and System could be required to perform the service in question at an out-of-pocket loss.

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

The application was listed on the Commission's Daily Calendar of December 8, 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 publication and cancellation of rules as proposed in the application are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

3

The rules of PCP and System are respectively set forth in Items Nos. 345 and 355 of Tariff No. 111.

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., Agent is hereby authorized, on behalf of PCP Transportation Company and System 99, to publish in its Local and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15, the provisions 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 10th day of February, 1970.

William James Jr.
President

August

J. P. Williams

John L. ...

Samuel L. Sturgeon
Commissioners