

ORIGINAL

Decision No. 76S36

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)
for and on behalf of Mojave Trans-)
portation Co. tariff provisions re-)
sulting in increases because of the)
publication of a rule providing for)
full utilization of carrier's)
equipment.)

Shortened Procedure
Tariff Docket
Application No. 51562
(Filed December 18, 1969)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Mojave Transportation Co. (Mojave), to add Mojave as a participant in a rule in one of its tariffs pertaining to full utilization of carrier's equipment.¹

Applicant states that Mojave previously participated in the aforementioned rule but withdrew its participation therein on November 24, 1967, so that it could be on a more competitive level with certain other carriers. Applicant alleges that, due to changing traffic and competitive conditions, Mojave has found that it is necessary that it be reinstated as a participant in the rule. Applicant avers that

¹ This rule provides for the assessment of charges based on the applicable rate for the shipment subject to minimum weights of 20,000, 36,000 and 40,000 pounds per unit of equipment when the length of the unit of equipment in lineal loading space is respectively 24 feet or less; over 24 feet but not over 35 feet, and over 35 feet. The rule applies when the shipment requires full utilization of one or more units of the carrier's equipment or the shipper or consignee requests exclusive use of the carrier's equipment. The rule is set forth in detail in Item No. 145.7 of Western Motor Tariff Bureau, Inc., Agent, Local and Proportional Freight Tariff No. 6, Cal.P.U.C. No. 14 (J. L. Beeler, Agent, Series).

participation in the rule as proposed is not primarily intended as a revenue measure but as a means of preventing or limiting out-of-pocket losses in instances where full utilization of Mojave's equipment would be required to transport large quantities of light and bulky shipments.

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

The application was listed on the Commission's Daily Calendar of December 19, 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 participation of Mojave in the full-utilization-of-equipment 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:

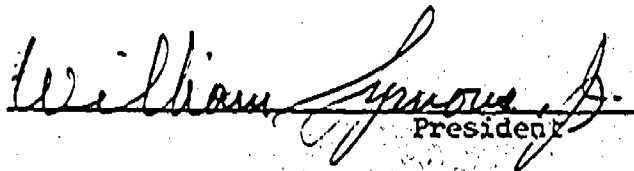
1. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized to include Mojave Transportation Co. as a participant in Item No. 145.7 of its Local and Proportional Freight Tariff No. 6, Cal.P.U.C. 14 (J. L. Beeler, Agent, Series).

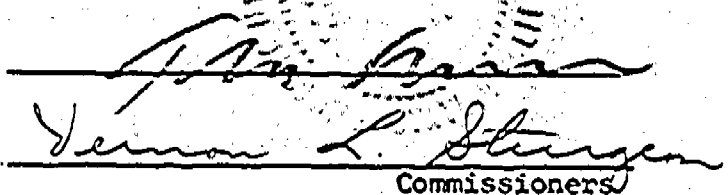
2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and to the 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 20th day of February, 1970.


President


Commissioners

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

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.