

Decision No. 76839

ORIGINAL

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 Di Salvo Trucking)	Tariff Docket
Co. tariff provisions resulting in)	Application No. 51586
increases because of the proposed)	(Filed December 29, 1969)
cancellation and/or amendment of cer-)	
tain specific rail competitive rates.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Di Salvo Trucking Co. (Di Salvo), to cancel certain rates from one of its tariffs and to increase¹ the minimum weights governing other rates in such tariff. Upon cancellation of the rates as proposed, higher class or commodity rates would apply.

Applicant states that Di Salvo is the only participant in Tariff No. 11 and that the rates involved are rail competitive rates which were considered necessary at the time that they were established in order that Di Salvo could compete with railroads and other highway carriers. Applicant alleges that no shipments have moved under any of the rates proposed to be canceled within the last two years and in some instances traffic has not moved in over five years.

Applicant avers that rail rates tend to remain on a stationary basis and cites the fact that there have been only two general rail rate increases in the last nine years. Applicant

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The rates are published in Western Motor Tariff Bureau, Inc., Agent, California Common Carrier Motor Freight Local and Joint Tariff No. 11, Cal.P.U.C. No. 5, Interstate Freight Carriers Conference, Inc., Agent, Series (Tariff No. 11).

contends that motor carrier costs are constantly increasing and that motor carriers must safeguard themselves against rates such as those herein proposed to be canceled. Applicant declares that the aforementioned rates constitute a latent threat to the carrier's rate structure.

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

The application was listed on the Commission's Daily Calendar of December 31, 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 and amendment of 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, on behalf of Di Salvo Trucking Co., to publish revisions in its California Common Carrier Motor Freight Local and Joint Tariff No. 11, Cal.P.U.C. No. 5, Interstate Freight Carriers Conference, Inc., Agent, Series, 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 20th day of February, 1970.

William J. Lyons, Jr.
President

A. W. Gatov
Vernon L. Stenger
Commissioners

Commissioner A. W. Gatov, 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.