

Decision No. 77051

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff)	
Bureau, Inc., Agent, under the)	
Shortened Procedure Tariff Docket to)	Shortened Procedure
publish for and on behalf of Marrow,)	Tariff Docket
Thomas H. Trucking Co., tariff provi-)	Application No. 51696
sions resulting in increases because)	(Filed February 9, 1970)
of the publication of a rule per-)	
taining to advancing charges.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Thomas H. Marrow Trucking Co. (Marrow), to publish a rule in one of its tariffs pertaining to the advancement of charges and concurrently to amend a similar, but less restrictive, rule.¹

Applicant proposes that: (1) no charges of any description will be advanced to shippers, owners, consignees or agents thereof nor to their draymen or warehousemen except charges which are incidental to the transportation of the shipment; (2) the basis for charges to be advanced must be stated on the bill of lading at time of shipment; (3) charges be established for collecting and remitting the advance charges; and (4) such charges be billed to the party paying the transportation charges.²

¹ The rule sought to be amended is set forth in Item No. 30 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15.

² Applicant's proposal is set forth in detail in Exhibit "A" attached to the application.

Applicant states that Marrow is from time to time called upon to transport shipments on which charges are advanced and that more time and expense are expended by the carrier in the handling of such shipments than on regular shipments. According to applicant, Marrow's personnel must make telephone calls to determine what charges are being advanced. Applicant alleges that, on occasion, when the carrier's driver is informed on arrival at point of origin that advance charges are required, the driver must return to the terminal to pick up such charges or another employee must carry the charges from the terminal to the point of origin. Applicant avers that additional expense is incurred by Marrow in collecting and remitting such charges and that the proposed rule is not intended to be a revenue measure but to be a means of limiting the carrier's out-of-pocket expenses.

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

The application was listed on the Commission's Daily Calendar of February 10, 1970. No objection to the granting of the application has been received.

The Transportation Division staff has reviewed the application and recommends that it be granted by ex parte order.

In the circumstances, it appears, and the Commission finds, that increases resulting from the proposal herein 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 Thomas H. Marrow Trucking Co., to publish in its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15, a rule on advancing charges of said tariff 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 Los Angeles, California, this 7th day of April, 1970.

William J. Sproul
President

Augustine

Richard J. [unclear]

Thomas J. [unclear]

Vermon L. Sturgeon
Commissioners