

Decision No. 77118

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff)	
Bureau, Inc. under the Shortened Pro-)	
cedure Tariff Docket to publish for)	Shortened Procedure
and on behalf of Western Milk Transport,)	Tariff Docket
Inc. provisions resulting in increase)	Application No. 51724
because of the proposed limiting of)	(Filed February 24, 1970)
shipments transported in the East Bay)	
Drayage Area to 20,000 pounds.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Western Milk Transport, Inc. (Western), to publish a rule in one of its tariffs providing that the rates named therein will not apply to shipments weighing less than 20,000 pounds and to amend the provisions in another tariff to indicate that the rates therein will apply to such shipments.¹

Applicant states that Western is authorized to transport commodities requiring protection from heat and other commodities in mixed shipments with commodities requiring protection from heat. Applicant alleges that, because of the carrier's specialized type of service, Western is required to operate vehicles equipped with mechanical refrigerated units. Applicant asserts that the initial and operating costs of this specialized equipment are much greater than the initial and operating costs of normal type equipment.

¹ Applicant respectively proposes to publish the rule and amendment in Western Motor Tariff Bureau Inc., Agent, Local Freight and Express Tariff No. 106, Cal.P.U.C. No. 11 (Tariff No. 106), and Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15 (Tariff No. 111).

Applicant avers that Tariff No. 106 does not set forth a charge for providing temperature control service and that the revenue received by Western under the rates named therein for the transportation of small shipments of perishable products does not compensate the carrier for its out-of-pocket cost. Applicant declares that Tariff No. 111 does provide for the application of additional charges on shipments, which are accorded temperature control service² and that Western would be able to perform the aforementioned service on a compensatory basis under the rates and charges named in such tariff.

According to applicant, Western is transporting very little traffic which is ratable under Tariff No. 106 and the majority of that traffic is interstate in nature.

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

The application was listed on the Commission's Daily Calendar of February 25, 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.

² Items Nos. 820 and 830 of Tariff No. 111 provide that rates on shipments accorded chilled temperature control service or frozen temperature control service shall be respectively five percent or ten percent higher than the rates that apply when chilled or frozen temperature control service is not accorded to such shipments.

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, on behalf of Western Milk Transport, Inc., to publish revisions in its Local Freight and Express Tariff No. 106, Cal.P.U.C. No. 11, and Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15, 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 21st day of April, 1970.

August
President
[Signature]
[Signature]
Vernon L. Stinson
Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate
-3- in the disposition of this proceeding.