

Decision No. 77119

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 )	
for and on behalf of System 99, )	
and System 99 Operator of Lom )	Shortened Procedure
Thompson, doing business as, Thompson) )	Tariff Docket
Truck Lines, tariff provisions re- )	Application No. 51734
sulting in increase because of the )	(Filed February 26, 1970)
publication of a rule for split )	
delivery shipments accorded tempera- )	
ture control service. )	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of System 99 and System 99 Operator of Lom Thompson, doing business as Thompson Truck Lines, hereinafter collectively referred to as System 99, to publish a revised split delivery rule which would restrict System's split delivery service in connection with shipments accorded temperature control service.<sup>1</sup>

Applicant proposes: (1) to provide that split delivery shipments of commodities accorded temperature control service or mixed shipments of said commodities with other commodities shall weigh (or the transportation charges on these shipments shall be computed on) not less than 10,000 pounds; (2) to limit the number of component parts in such split delivery shipments to not more than 5; and (3) to provide that the destination points of such component parts shall be within 50 constructive miles of the initial point of delivery.

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<sup>1</sup> The current rule is set forth in Item 650 of Western Motor Tariff Bureau, Inc. Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15.

Applicant declares that System 99 incurs out-of-pocket losses in those instances where the carrier accords temperature control service to numerous small component parts of split delivery shipments. Applicant avers that the proposed rule revision is not intended primarily as a revenue measure but as a means of limiting such out-of-pocket losses.

Applicant asserts that increases resulting from the proposal herein would not increase the California intrastate gross revenue of System 99 by as much as one percent.

The application was listed on the Commission's Daily Calendar of February 27, 1970. Copies of the application were served on principal shippers and shipper groups concerned with commodities requiring temperature control service. 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 System 99 and System 99 Operator of Lom Thompson, doing business as Thompson Truck Lines, to publish a rule in its 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 21<sup>st</sup> day of April, 1970.

*Augata*  
President  
*[Signature]*  
*[Signature]*  
*Simon L. Stinger*  
Commissioners

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