

ORIGINAL

Decision No. 77236

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 certain of its)	Shortened Procedure
participating carriers tariff provi-)	Tariff Docket
sions resulting in increases because)	Application No. 51779
of proposed cancellation of)	(Filed March 19, 1970)
Paragraph (C) of Item No. 65 of)	
applicant's Tariff No. 111.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, for and on behalf of all carriers participating in one of its tariffs, to amend a rule, which provides for the assessment of an additional rate and minimum charge for picking up merchandise at or delivering merchandise to a private residence.¹

Applicant proposes to cancel the provisions in the rule, which permit pickup service at or delivery service to a private residence without assessment of the additional rate and minimum charge in instances where the involved merchandise is for use in the furtherance of an industrial or commercial enterprise.

Applicant states that the exemption provisions of the rule were established on the premise that pickup and/or delivery service

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The rule is set forth in Item No. 65 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15. The rule provides for an additional rate of 25 cents per 100 pounds, minimum charge \$1.25, for pickup service at, or delivery service to, a residence when the merchandise transported from or to such residence is not used in the furtherance of an industrial or commercial enterprise.

at private residences on merchandise used in the furtherance of an industrial or commercial enterprise did not present the problems, which were encountered in performing such service on other merchandise.² Applicant avers that the carriers are now experiencing the same problems in performing the aforementioned service on merchandise used in the furtherance of an industrial or commercial enterprise as have been heretofore associated only with such service on other merchandise. Applicant alleges the carriers have found from experience that they are not being sufficiently compensated for the service in question.

Applicant contends that the proposed revision of the tariff rule was formally considered at meetings of its General Commodity Standing Rate Committee on February 4 and 11, 1970, under Docket No. 2262. Applicant declares that the proposed tariff revision was circulated to interested parties and that no shippers or carriers registered any opposition to the proposal.

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

The application was listed on the Commission's Daily Calendar of March 20, 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.

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Decision No. 75878 dated July 8, 1969, in Shortened Procedure Tariff Docket Application No. 50995, indicated that abnormal waiting time was expended by the carriers in performing pickup and/or delivery service as the involved shippers and receivers were not equipped to tender shipments to, or receive shipments from, them.

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 all carriers participating in its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15, to amend the provisions in Item No. 65 thereof 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 19th day of May, 1970.

William Lyons, Jr.
President

August
J. P. Williams

Verma L. Stungen
Commissioners