

Decision No. 77816

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 Nielsen Freight Lines Inc. tariff provisions resulting in increase because of cancellation of certain specific commodity rate items.

Shortened Procedure Tariff Docket Application No. 52008 (Filed July 1, 1970)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Nielsen Freight Lines, Inc. (Nielsen), to cancel less-truckload, any-quantity commodity rates on fertilizers, insecticides, fungicides, unflavored ice cream mix and dried vegetables between various points in northern California.¹ Upon cancellation of the rates as proposed, higher class rates would apply.

Applicant states that the aforementioned rates apply to the transportation of commodities which are exempt from the Commission's minimum rates under the provisions of Minimum Rate Tariff No. 2. Applicant avers that, though the rates on nonexempt commodities have been increased from time to time to reflect increased costs, the rates involved herein have not been increased to the same extent and are noncompensatory.

Applicant asserts that increases resulting from the proposed cancellation of the rates would not increase the California intrastate gross revenue of Nielsen by as much as one percent.

¹ The rates in question are contained in Items Nos. 4642 and 4644 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15.

The application was listed on the Commission's Daily Calendar of July 2, 1970. No objection to the granting of the application has been received.

Commission staff analysis discloses that the rates in question are considerably lower than the Commission's minimum rates for the transportation of related nonexempt commodities and the application of the Commission's class rates to this transportation, as proposed, should enable the carrier to perform the service on a compensatory basis. The staff recommends that the application be granted by ex parte order.

In the circumstances, it appears, and the Commission finds, that increases resulting from cancellation of the commodity rates as 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 Nielsen Freight Lines, Inc., to cancel commodity rates 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 14th day of October, 1970.

J. P. ...
Chairman
Morgan
William ...
...
Vernon L. Sturgeon
Commissioners