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ORIGINAL

Decision No. \_\_\_\_\_

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	)	Shortened Procedure
for and on behalf of C. H. Miller,	)	Tariff Docket
Doing business as C. H. Miller	)	Application No. 52306
Transportation amendments to	)	(Filed November 18, 1970)
Item Nos. 1105 and 1110 which	)	
will result in increases to those	)	
provisions presently applicable.	)	

OPINION AND ORDER

By this application Western Motor Tariff Bureau, Inc., seeks authority, on behalf of C. H. Miller, doing business as C. H. Miller Transportation (Miller), to include the carrier as a participant in a utilization-of-low-bed-equipment rule in one of its tariffs and concurrently cancel the carrier's participation in a similar but less restrictive rule in the same tariff.

Miller's current rule sets forth seven hourly rates for the use of a unit of low-bed equipment. One rate applies to single transactions in which the greatest weight of property transported at one time is 60,000 pounds or less. The other six rates apply to single transactions in which the greatest weight transported at one time exceeds 60,000 pounds and these rates vary depending upon the width of the low-bed trailer used and whether or not dollies are furnished with the equipment. In lieu of this rule, applicant proposes to add Miller as a participant in another rule

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<sup>1</sup> It is proposed to add Miller as a participant in Item No. 1110 and to cancel Item No. 1105 of Western Motor Tariff Bureau, Inc., Agent, Local and Proportional Freight Tariff No. 123, Cal. P.U.C. No. 32.

that provides for application of nine hourly rates for the aforementioned services. These rates apply per single transaction but their variance depends only upon the weight of the property transported in the carrier's low-bed equipment. The latter rule also provides for the application of hourly rates for services performed by job superintendents, working foremen, machinery helpers and dry freight helpers.

Applicant states that its proposal would permit Miller to assess charges for the use of low-bed equipment which more readily conform with the carrier's particular operations. Applicant avers that participation in the rule, as proposed, would allow Miller to be in a more competitive situation with other carriers which perform the specialized services in question.

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

The application was listed on the Commission's Daily Calendar of November 19, 1970. No objection to the granting of the application has been received.

Commission staff analysis discloses that the transportation in question is exempt from the application of the Commission's minimum rates. This transportation requires the use of heavy duty low-bed equipment and the services of specially trained personnel. The proposed rates, which are assessed by many other carriers, would be more closely tailored to Miller's operations inasmuch as a wider range of rates would apply to the transportation involved. Also specific charges for specialized services by extra helpers not provided for in Miller's current rule would apply. This wide range of proposed rates would result in increases and reductions. 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 and amendment of the utilization-of-low-bed equipment rules 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:

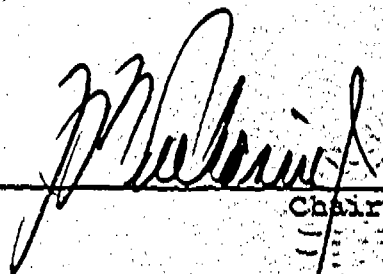
1. Western Motor Tariff Bureau, Inc., is hereby authorized, on behalf of C. H. Miller, to publish amendments to its Local and Proportional Freight Tariff No. 123, Cal.P.U.C. No. 32, as specifically proposed in the application.

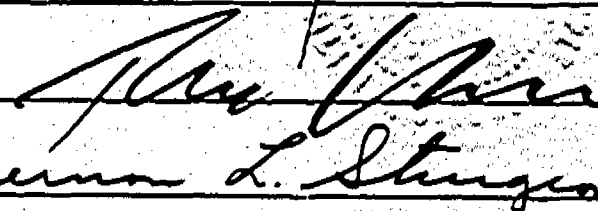
2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and to the 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 Diego, California, this 9<sup>th</sup> day of February, 1971.

  
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Chairman

  
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Dennis L. Sturgeon

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Commissioners

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