

ORIGINAL

Decision No. 78446

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff)	
Bureau, Inc. under the Shortened)	
Procedure Tariff Docket for and on)	Shortened Procedure
behalf of Western Milk Transport,)	Tariff Docket
Inc. to publish certain provisions)	Application No. 52376
resulting in increases because of)	(Filed December 30, 1970)
proposed cancellation of certain)	
commodity rates applicable on Fruits)	
or Vegetables, fresh or green.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Western Milk Transport, Inc. (WMT), to amend one of its tariffs to provide that class rates will apply in lieu of commodity rates on shipments of fresh fruits and vegetables.¹

Applicant states that a review of past shipments by WMT indicates that very little traffic is transported under the commodity rates in Tariff No. 111 and that such shipments have either produced marginal income or out-of-pocket losses. Applicant declares that the proposed application of class rates to this transportation is not intended to be a revenue producing provision but that its proposal would provide a measure of protection against traffic which is marginal or noncompensatory.

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The rates in question are set forth in Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15 (Tariff No. 111).

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

The application was listed on the Commission's Daily Calendar of December 31, 1970. No objection to the granting of the application has been received.

Commission staff analysis discloses that the lower commodity rates for the transportation of fresh fruits and vegetables are designed for carriers which specialize in such transportation. WMT is not a specialist in this field and the additional revenue, which would accrue under the application of class rates, as proposed, would enable the carrier to perform the service on a compensatory basis. Few, if any, actual increases need result since service would still be available at the present rates from other authorized highway carriers. 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 the publication of class rates for the transportation of fresh fruits and vegetables 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:

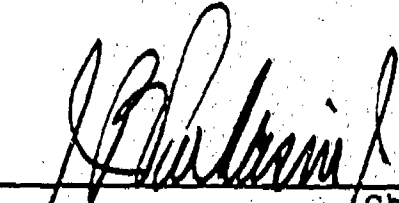
1. Western Motor Tariff Bureau, Inc., is hereby authorized, on behalf of Western Milk Transport, Inc., to publish an amendment to its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15, as specifically proposed in the application.

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 23rd day of March, 1971.



Chairman



Vernon L. Stinson



Commissioners

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