

hjh

ORIGINAL

Decision No. 78491

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of )  
Western Motor Tariff Bureau, Inc., )  
for and on behalf of Associated )  
Freight Lines to amend Items Nos. 10 )  
and 50 of Bureau Tariff No. 111, and )  
to depart from the terms of Section )  
454 and authority under Section 490 )  
of the Public Utilities Code to )  
accomplish the proposed amendments. )

Application No. 52393  
(Filed January 8, 1971)

OPINION AND ORDER

The Western Motor Tariff Bureau, Inc., (WMTB) seeks authority to establish higher and different accessorial service charges in its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15, on behalf of Associated Freight Lines, a participating highway common carrier in said tariff.

Item 50 of WMTB Tariff No. 111 currently provides that when a carrier picks up or delivers a shipment, subject to a minimum weight of less than 10,000 pounds and weighing more than 100 pounds, at a point not at street level and no vehicular elevator service or vehicular ramp is provided, an additional charge of 28 cents per 100 pounds, minimum \$1.75 per shipment, shall be assessed for handling the shipment beyond the carrier's equipment.<sup>1/</sup> On behalf of Associated Freight Lines, WMTB requests authority to amend Items Nos. 10 and 50 of its tariff so as to provide that when Associated Freight Lines performs the accessorial services herein involved, the accessorial hourly charges per man set forth in

1/ Item 120 of the Commission's governing Minimum Rate Tariff 2 provides an additional service charge of 15 cents per 100 pound, minimum \$1.15 per shipment, for such accessorial services.

A. 52393 hjh

Item 110 of Tariff No. 111 shall apply. Such resulting hourly charges may not be less than those produced under the specific applicable accessorial rate of 28 cents per 100 pounds, minimum \$1.75 per shipment, named in Item 50 of the tariff. The proposed hourly charges per man are \$5.30 for the first 30 minutes or fraction thereof, plus \$2.65 for each additional 15 minutes or portion thereof. The sought hourly charges are on the same level as those contained in Minimum Rate Tariff 2 and currently apply when the carrier performs such accessorial services as stacking, sorting, providing helpers for loading or unloading, or any other accessorial services for which a charge is not specifically provided in the tariff.

It is applicant's position, for and on behalf of Associated Freight Lines, that the present accessorial charges for pick up or delivery service at other than street level do not cover the additional billing and collecting clerical costs involved, let alone compensate carrier for the extra pick up or delivery service it performs. It is applicant's contention that a shipment picked up or delivered to a point located on the second floor of a high rise building requires less time and effort than would a shipment handled to a point located on the 15th or 20th floor of the same building. It is, therefore, applicant's position, for and on behalf of Associated Freight Lines, that the proposed accessorial hourly charges are a more realistic method for determining charges for the services involved.

The tariff publication proposed by applicant is, to say the least, ambiguous and incapable of definitive and uniform computation. While the current specific charges for the accessorial

A. 52393 hjh

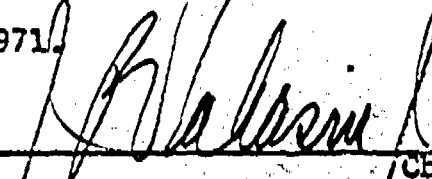
services involved are contained in a single tariff item, applicant, on behalf of one carrier, would spread its charges over three tariff items. Moreover, it is apparent that the desired ex parte relief could be reflected, with appropriate prior authority, in Item 50 of Tariff No. 111, utilizing the same unit of measurement in which the current accessorial charges contained therein are expressed but at a higher level and restricted to the services performed by Associated Freight Lines.


We find that the ex parte tariff authority sought by applicant, on behalf of Associated Freight Lines, has not been shown to be justified and conclude that Application No. 52393 should be denied.


IT IS ORDERED that Application No. 52393, filed by the Western Motor Tariff Bureau, Inc., is hereby denied.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 30<sup>th</sup> day of MARCH, 1971.

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
James L. Sturgeon

  
\_\_\_\_\_  
Commissioners

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