

ORIGINAL

Decision No. 78530

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application 6826 of PACIFIC SOUTHCOAST FREIGHT BUREAU under the Shortened Procedure Tariff Docket for authority to increase certain charges in Item of PSFB 283-D as shown below.)	Shortened Procedure Tariff Docket Application No. 52408 (Filed January 20, 1971) (Amended February 22, 1971)
And Related Matters)	Cases Nos. 5432, 5433, 5435, 5436, 5437, 5438, 5439, 5440, 5441, 5603, 5604 and 7857.

OPINION AND ORDER

By this application, as amended, Pacific Southcoast Freight Bureau (PSFB), on behalf of the California rail carriers, requests authority to increase certain diversion and reconsignment charges on California intrastate traffic to correspond with increases which became effective November 17, 1970, on interstate traffic. Authority is also sought to depart from the provisions of Section 490 of the Public Utilities Code to permit the publication of the proposed tariff provisions.

Applicant proposes, with certain exceptions, to: (1) increase diversion and reconsignment charges of \$7.08 per car or less, over \$7.08 to and including \$14.99 per car and over \$15.00 per car to \$8.00, \$15.00 and \$35.00 per car, respectively; (2) establish a charge of \$8.00 per car for certain diversion or reconsignment services; and (3) establish a charge of \$15.00 per car, under certain conditions, for the surrender of an order bill of lading at destination after arrival of car.¹

¹ The proposed charges are set forth in detail in Exhibit "A" attached to the application and Supplement 43 to Pacific Southcoast Freight Bureau Freight Tariff 283-D.

Applicant states that the diversion and reconsignment charges of the rail carriers in the West and South are substantially the same but they differ from those of the rail carriers in the East. According to applicant, one of the purposes of the proposal herein is to effect a substantial uniformity for all carriers in the nation and a second reason is an attempt to bring diversion and reconsignment charges more nearly in line with the cost of providing such services. Applicant declares that the proposed charges were publicized in the May 10, 1969, issue of Traffic Bulletin, Part 3, and were the subject of a public hearing held in St. Louis, Missouri, during the week of June 9, 1969, by the chief traffic officers of the railroads and the shippers.

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

The application and amendment thereto were listed on the Commission's Daily Calendar of January 21 and February 23, 1971. No objection to the granting of the application, as amended, has been received.

Commission staff analysis discloses that the Interstate Commerce Commission, in its Investigation and Suspension Docket 8534, found that the aforementioned diversion and reconsignment charges were just and reasonable and such charges have been in effect on interstate commerce since November 17, 1970. The sought increases are required to offset increased costs which have been experienced by the rail carriers. Uniformity in the assessment of such charges would be accomplished under applicant's proposal and, better utilization of the carriers' equipment would be obtained. The staff recommends that the application, as amended, be granted by ex parte order.

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, as amended, should be granted.

IT IS ORDERED that:

1. Pacific Southcoast Freight Bureau is hereby authorized, on behalf of the involved rail carriers, to publish increased diversion and reconsignment charges in its Tariff 283-D and to have published such increased charges in other individual lines' tariffs as specifically proposed in the application, as amended.

2. Pacific Southcoast Freight Bureau and the involved individual rail carriers are hereby authorized to depart from the provisions of General Order No. 125 to the extent necessary to publish tariff provisions as proposed in the application, as amended.

3. Tariff publications authorized to be made as a result of paragraphs 1 and 2 of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and to the public.

4. Common carriers maintaining, under outstanding authorizations permitting the alternative use of rail rates, charges below the specific minimum rate levels otherwise applicable for the transportation involved herein, are hereby authorized and directed to increase such charges, on not less than five days' notice to the Commission and to the public, to the levels of the rail charges established pursuant to Ordering Paragraph 1 hereof, or to the

levels of the specific minimum rates, whichever are lower. To the extent such common carriers have maintained such charges at differentials above previously existing rail charges, they are authorized to increase such charges by amounts authorized in paragraph 1 hereof; provided, however, that such increased charges may not be lower than the charges established by the rail lines pursuant to the authority granted in paragraph 1 hereof nor higher than the otherwise applicable minimum rates. Such adjustments shall be made effective not earlier than the effectiveness of the increased rail charges and not later than August 10, 1971.

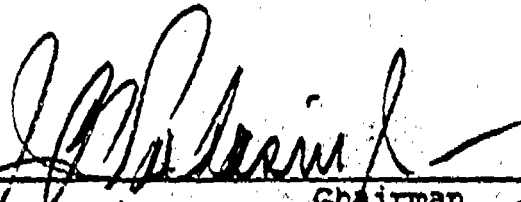
5. Common carriers, in establishing and maintaining the charges authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the charges published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

6. The authority granted in paragraphs 1 and 2 hereof shall expire unless exercised within ninety days after the effective date of this order.

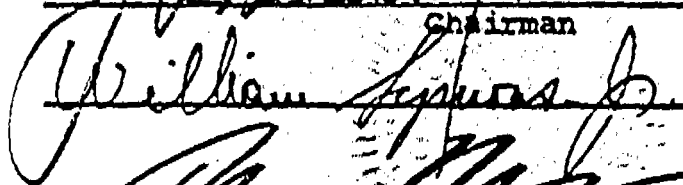
(SPT) A. 52408, C. 5432, et al. - se

This order shall become effective twenty days after the date hereof.

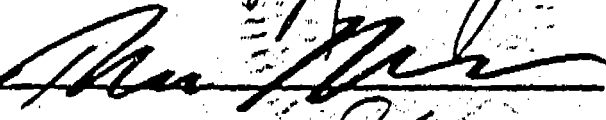
Dated at San Francisco, California, this 13th day of April, 1971.




Chairman




William S. Jones



[Signature]



Vernon L. Sturgeon



Commissioners