

ORIGINAL

Decision No. 78563

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 Illinois-)	Shortened Procedure
California Express, Inc., tariff)	Tariff Docket
provisions resulting in an increase)	Application No. 52414
because of the proposed cancella-)	(Filed January 21, 1971)
tion of specific commodity rates)	
published under alternative applica-)	
tion provisions.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, for and on behalf of Illinois-California Express, Inc. (ICX) to cancel the carrier's participation in the rail competitive rates named in two of its tariffs.¹ Upon cancellation of the rates, as proposed, higher class or commodity rates would apply.

Applicant states that ICX recently acquired the operative right of California Motor Transport Co. and inherited an accumulation of rail competitive rates. Applicant alleges that ICX has made a comprehensive review of the rates which it proposes to cancel and has determined that they are no longer in active use.

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

¹ The tariffs are Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13, and Mechanical Protective Service Tariff No. 108, Cal.P.U.C. No. 12.

The application was listed on the Commission's Daily Calendar of January 22, 1971. No objection to the granting of the application has been received.

Commission staff analysis discloses that the rates in question are below the level of the truck rates for the transportation involved and were established by the predecessor carrier, California Motor Transport Co., to meet rail competition. The staff recommends that the application be granted by ex parte order since service by ICX under the rates in question has not been utilized by shippers.

In the circumstances, it appears, and the Commission finds, that increases resulting from cancellation of the 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 to cancel the participation of Illinois-California Express, Inc., from the rates named in its Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13, and Mechanical Protective Service Tariff No. 108, Cal.P.U.C. No. 12, 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 or 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 20th day of April, 1971.

Chairman
William J. Vukasin, Jr.
[Signature]
Vernon L. Sturgeon
[Signature]
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.