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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 Pacific Inter-)	Tariff Docket
mountain Express Co. and all other)	Application No. 52416
carriers as shown in Exhibit "A")	(Filed January 21, 1971)
tariff provisions resulting in an)	
increase because of the proposed)	
cancellation of certain specific)	
rail competitive commodity rates.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Pacific Intermountain Express Co. and ten other carriers to cancel the carriers' participation in various rail-competitive commodity rates on coffee and tea.¹ Upon cancellation of the rates, as proposed, higher class rates would apply.

Applicant states that the involved carriers participate in numerous rail competitive rates in Tariff No. 109 and that a study by these carriers of such rates indicates that the rates in question are noncompensatory insofar as their operations are concerned. Applicant avers that the carriers' costs are constantly increasing and that they must safeguard themselves against non-compensatory rates, such as those herein proposed to be canceled.

Applicant asserts that increases resulting from the proposal herein would not increase the California intrastate gross

¹ These rates are set forth in Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13 (Tariff No. 109), and generally apply from and to points in the San Francisco Bay, San Joaquin Valley, Los Angeles Basin and San Diego Areas. The ten other carriers are listed in Exhibit "A" attached to the application.

revenue of any of the carriers involved herein by as much as one percent.

The application was listed on the Commission's Daily Calendar of January 25, 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 involved transportation and were established to meet rail competition. The carriers have now elected not to meet this competition. 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 proposal herein 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 Pacific Intermountain Express Co. and the other carriers named in Exhibit "A" of the application, to cancel the participation of said carriers from certain rates in its Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. 13, 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 20th day of April, 1971.

Chairman
William Aguirre, Jr.

James L. Sturgeon

Commissioners

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