

ORIGINAL

Decision No. 78668

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 behalf of California Motor Express Ltd. and California Motor Transport Co. to become parties to a rule providing exclusive use of vehicle, unit of carrier's equipment or portion thereof which will result in increases over provisions presently applicable.)	
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)	Shortened Procedure
)	Tariff Docket
)	Application No. 52488
)	(Filed March 10, 1971)
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OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of California Motor Express, Ltd. and California Motor Transport Co. (hereinafter collectively referred to as Cal Motors), to include the carriers as participants in an exclusive-use-of-equipment rule in one of its tariffs and concurrently cancel Cal Motors' participation in a similar rule in the same tariff.¹

Cal Motors' current rule provides for application of a minimum charge based on the Class 55 rate for 20,000 pounds for exclusive use of a unit of equipment with a lineal loading space of 28 feet or less and a minimum charge based on the Class 35 rate for 40,000 pounds for exclusive use of a unit of equipment with a lineal loading space over 28 feet. According to applicant, participation by Cal Motors in the other rule, as proposed, would permit the carriers to apply, when exclusive use of their equipment

¹ Cal Motors' participation would be canceled from Item No. 289 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15. Cal Motors' participation would be added to Item No. 293 in the same tariff.

is required by the shipper, a minimum charge which varies according to the lineal feet of loading space in such equipment.²

Applicant states that the proposed minimum charges for exclusive use service would result in both increases and reductions and that such charges would be more closely related to the cost of providing the service.

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

The application was listed on the Commission's Daily Calendar of March 11, 1971. No objection to the granting of the application has been received.

Commission staff analysis discloses that more realistic charges would result under the proposed rule for the services involved as one of 9 instead of one of 2 minimum charges would be applied to a particular shipment depending upon the lineal loading space which is required for such shipment. The wide range of proposed charges would result in increases and reductions and better utilization of the carriers' equipment would be obtained. 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 amendments to the exclusive-use-of-equipment rules as proposed in the application are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

² The rule provides for application of one of nine minimum charges for this service on a particular shipment. These minimum charges are based on specific class rates for weights ranging from 5,000 pounds for 5 lineal feet of loading space in a unit of carrier's equipment to 45,000 pounds for over 48 lineal feet of loading space in a unit of carriers' equipment.

IT IS ORDERED that:

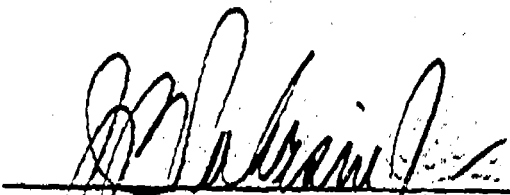
1. Western Motor Tariff Bureau, Inc., is hereby authorized, on behalf of California Motor Express Ltd. and California Motor Transport Co., to publish amendments to Items Nos. 289 and 298 of its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15, as specifically proposed in the application.

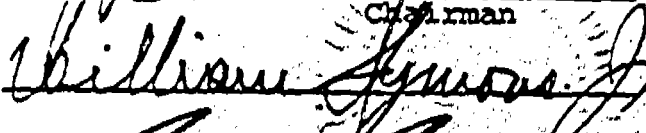
2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and to the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

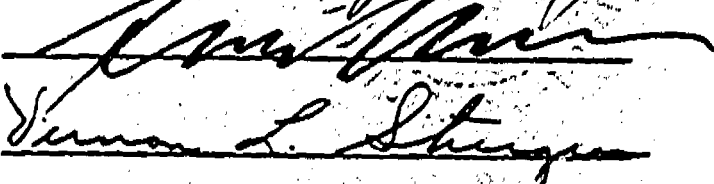
3. The authority herein granted shall expire unless exercised within ninety days after the effective date of this order.


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

Dated at San Francisco, California, this 11th day of May, 1971.



Chairman






Commissioners