

Decision No. 78671

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application 6872 of PACIFIC SOUTH- COAST FREIGHT BUREAU under the Shortened Procedure Tariff Docket for authority to increase certain minimum weights in PSFB Tariff 250-B as shown below.))))))	Shortened Procedure Tariff Docket Application No. 52478 (Filed March 4, 1971)
And Related Matters))	Cases Nos. 5432, 5435, 5439 and 5441

OPINION AND ORDER

By this application, Pacific Southcoast Freight Bureau (PSFB), on behalf of the California rail carriers parties to PSFB Tariff 250-B, requests authority to increase to 45,000 pounds the minimum weights of 30,000, 36,000 and 40,000 pounds which govern certain carload rail rates for the transportation of salt between points in California. 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.¹

Applicant states that the rates in the aforementioned tariff, which are currently subject to minimum weights of less than 45,000 pounds, are unrealistic considering equipment presently available and that carriers' earnings on shipments under 45,000 pounds are not compensatory for services performed. Applicant declares that the proposed increase in the minimum weights on carload shipments of salt was publicized in the December 19, 1970, issue of the

¹ The proposed changes are set forth in detail in Exhibit "A" attached to the application.

Weekly Traffic Bulletin under PSFB Proposal 9302, that copies of the proposal were sent to approximately 80 shippers and that no shipper objections have been recorded.

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 was listed on the Commission's Daily Calendar of March 5, 1971. No objection to the granting of the application has been received.

Commission staff analysis discloses that the proposed minimum weight of 45,000 pounds on carload shipments of salt would more adequately reflect the greater carrying capacity of the rail carriers' modern equipment and better utilization of such 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 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. Pacific Southcoast Freight Bureau is hereby authorized, on behalf of the involved rail carriers, to publish increased minimum weights in its Tariff 250-B as specifically proposed in the application.

2. Pacific Southcoast Freight Bureau is 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.

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 ten days after the effective date of this order on not less than ten 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 ten 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 September 10, 1971.

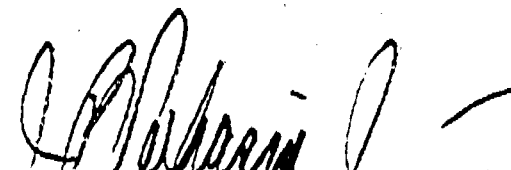
5. Common carriers, in establishing and maintaining the charges authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the

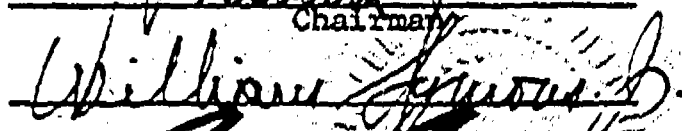
extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the charges published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

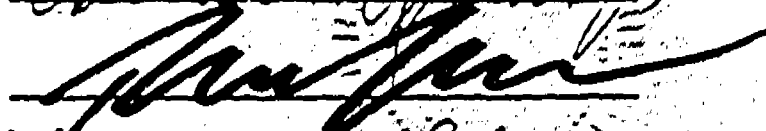
6. The authority granted in paragraphs 1 and 2 hereof shall expire unless exercised within ninety days after the effective date of this order.


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

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



Chairman


William J. Stinson


Vernon L. Sturgeon


Commissioners