

Decision No. 78698

ORIGINAL

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 Western Milk Transport, Inc. certain increases in connection with minimum charges set forth in Item No. 465 of Tariff No. 111. )

Shortened Procedure  
Tariff Docket  
Application No. 52496  
(Filed March 15, 1971)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc. seeks authority, on behalf of Western Milk Transport, Inc. (Western), to increase certain minimum charges for shipments transported by Western in excess of 300 miles.<sup>1</sup>

Applicant states that Western and various other carriers were authorized by the Commission to maintain a level of minimum charges for small shipment service which was 10 percent above the level of the established minimum charges for this transportation.<sup>2</sup> Applicant avers that the Commission subsequently authorized general increases in the rates and charges in Minimum Rate Tariff No. 2 and directed common carriers to increase their rates and charges by corresponding amounts.<sup>3</sup> As a result of deficiencies in the wording

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<sup>1</sup> The present charges are set forth in Item No. 465 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15.

<sup>2</sup> Decision No. 76718 dated January 27, 1970, in Application No. 51433.

<sup>3</sup> Decision No. 77441 dated June 30, 1970, in Case No. 5432 (Petition for Modification No. 581).

of the latter authority, applicant contends that the involved common carriers were no longer authorized to maintain the 10 percent differential in the minimum charges. Applicant declares that, on behalf of various carriers, it sought and was authorized to reinstate the differential in the minimum charges but that it inadvertently did not include Western as one of the involved participating carriers in its request for such authority.<sup>4</sup>

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

The application was listed on the Commission's Daily Calendar of March 16, 1971. No objection to the granting of the application has been received.

Commission staff analysis discloses that the 10 percent differential between the minimum charges published by applicant and those established in the Commission's Minimum Rate Tariff No. 2 was originally authorized to enable Western and various other carriers to offset added costs experienced by them in transporting small shipments in excess of 300 miles. All of these carriers except Western currently apply the minimum charge differential to the aforementioned transportation. The proposal would restore to Western the minimum charge differential that it had previously been authorized to maintain. The staff recommends that the application be granted by ex parte order.

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Decision No. 78136 dated December 22, 1970, in Shortened Procedure Tariff Docket Application No. 52231.

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 Western Milk Transport, Inc., to publish increased minimum charges in 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.

The authority granted herein 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 18<sup>th</sup> day of May, 1971.

  
Chairman  
  
  
  
  
Commissioners