

ORIGINAL

Decision No. 78819

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 Miles Motor Trans-
port System provisions re-
sulting in increase because of
cancellation of certain specific
rail commodity rates.

Shortened Procedure
Tariff Docket
Application No. 52594
(Filed April 30, 1971)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Miles Motor Transport System (Miles), to cancel a 75,000-pound rail competitive commodity rate on lumber and lumber products applying from Ukiah to various southern California points.¹

Applicant states that only one shipper has utilized the aforementioned rail competitive rate since it was initially established in 1965 and that very little freight has been moved under such rate. Applicant alleges that virtually all shipments tendered to Miles by this shipper move in lots of 100,000 pounds or more under a 100,000-pound rail competitive rate which is lower than the 75,000-pound rate in question.

1

The rate is 57½ cents per 100 pounds, minimum weight 75,000 pounds, as set forth in Item No. 4014.3 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 109, Cal. P.U.C. No. 13.

As a result thereof, applicant declares that the 75,000-pound rate has become a dead rate through inactivity. Applicant asserts that the shipper, Masonite Corporation, is aware of the sought rate cancellation and is not opposed to it.

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

Copy of the application was mailed to Mr. C. R. Harryman, Masonite Corporation, Ukiah, California, on or about April 29, 1971. The application was listed on the Commission's Daily Calendar of May 4, 1971. No objection to the granting of the application has been received.

Commission staff analysis discloses that the cancellation of the aforementioned rail competitive 75,000-pound rate would result in a technical increase only inasmuch as the one shipper involved is not using this rate but is benefitting from the application of a rail competitive 100,000-pound rate, which is lower by 5 cents per 100 pounds than the rate in question, by tendering larger shipments to Miles. 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 cancellation of the rate 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:

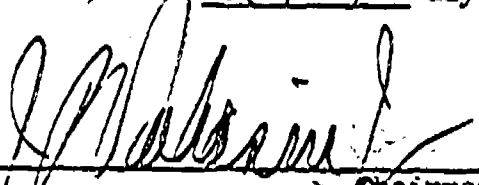
1. Western Motor Tariff Bureau, Inc. is hereby authorized, on behalf of Miles Motor Transport System, to cancel the rate on lumber and lumber products in its Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13, as specifically proposed in the application.


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.

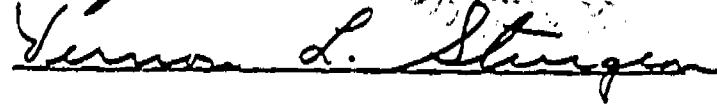
This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 22nd day of June, 1971.



Chairman






Commissioners