

ORIGINAL

Decision No. 78820

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff)	
Bureau, Inc. under the Shortened)	
Procedure Tariff Docket to establish)	Shortened Procedure
for and on behalf of Nielsen Freight)	Tariff Docket
Lines Inc. tariff provisions result-)	Application No. 52575
ing in increases because of publica-)	(Filed April 23, 1971)
tion of a rule pertaining to)	
redelivery.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Nielsen Freight Lines Inc. (Nielsen) to include the carrier as a participant in a rule dealing with the assessment of charges for each further attempt at delivery of a shipment in one of its tariffs and concurrently cancel Nielsen's participation in another rule in the same tariff.¹

Nielsen's current rule applies only to local service and provides that, if for any reason through no fault of the carrier, delivery of a shipment cannot be accomplished on first tender, the carrier will return the shipment to its nearest depot and notify the consignee that the shipment has arrived. Upon request, the carrier will make an effort to effect delivery for an additional charge of 17½ cents per 100 pounds, minimum additional charge 41 cents for each further attempt at delivery. According to applicant, participation by Nielsen in the other rule, as proposed, would

¹ Nielsen's participation would be canceled from Item No. 293 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15 (Tariff No. 111). Nielsen's participation would be added to Item No. 537 in Tariff No. 111.

permit the carrier to apply additional charges, which vary according to the weight of the shipment, for each further attempt to effect delivery in those instances where delivery cannot be accomplished under the circumstances heretofore described.²

Applicant states that Nielsen currently participates in the latter rule in connection with joint services which it performs with other carriers and that the application of the same rule to its local and joint services would be in the interest of uniformity. Applicant declares that the carrier's charges for local services under the present rule, when considered in the light of today's costs, are completely noncompensatory and that the proposed charges more realistically reflect the carrier's costs.

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

The application was listed on the Commission's Daily Calendar of April 26, 1971. No objection to the granting of the application has been received.

Commission staff analysis discloses that greater recognition would be given to the weight of a particular shipment in determining the charges for the service involved in that one of six charges, which vary according to the weight of the shipment, would be assessed instead of a single charge. The proposed charges are assessed by most of the carriers participating in Tariff No. 111

² The additional charges range from 19½ cents per 100 pounds for a shipment subject to a minimum weight of 40,000 pounds to \$2.14 per 100 pounds, minimum additional charge \$3.34, for a shipment subject to less-truckload any-quantity rates.

in connection with local and joint services performed by them. Under the proposal, uniformity in the assessment of charges by Nielsen for the local and joint services involved would be accomplished. The staff recommends that the application be granted.

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:

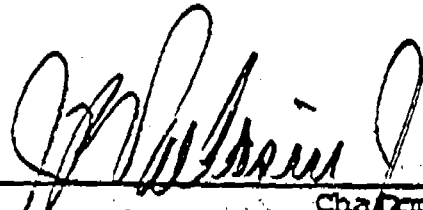
1. Western Motor Tariff Bureau, Inc., is hereby authorized, on behalf of Nielsen Freight Lines Inc. to publish amendments to Items 293 and 537 of its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15, as specifically proposed in the application.

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.

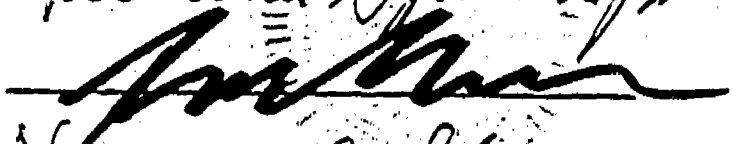
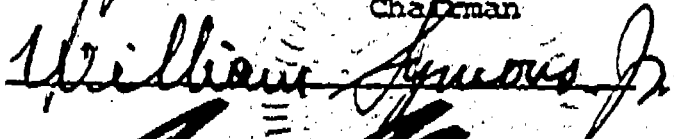
3. The authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

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

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



Chairman



Commissioners