

ORIGINAL

Decision No. 78947

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 Pacific Motor Trucking )  
Company and Pacific Motor Transport )  
Company to become a party in a rule )  
providing for exclusive use of car- )  
rier's equipment which results in )  
increases over provisions presently )  
applicable. )

Shortened Procedure  
Tariff Docket  
Application No. 52610  
(Filed May 11, 1971)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Pacific Motor Trucking Company and Pacific Motor Transport Company (Pacific), to cancel Pacific's participation in an exclusive-use-of-equipment rule and a full-utilization-of-equipment rule in one of its tariffs<sup>1</sup> and concurrently to establish a single rule for both services in the same tariff.

In instances where the shipper requests exclusive use of the carrier's equipment, Pacific's current rule applying to this service 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 exceeding

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<sup>1</sup> Pacific's participation would be canceled from Items 289 and 395 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. 15.

28 feet. In instances where a single shipment requires full utilization of one or more units of the carrier's equipment, Pacific's present rule governing this service provides that the applicable rate for the shipment shall be subject to a minimum charge per unit of equipment based on the applicable truckload rate and minimum weight. Applicant proposes to establish a single rule for the aforementioned services which would provide for the application of a minimum charge based on the Class 35 rate for 20,000 pounds for use of a unit of equipment with a lineal loading space of 27 feet or less and a minimum charge based on the Class 35 rate for 40,000 pounds for use of a unit of equipment with a lineal loading space exceeding 27 feet.

Applicant states that the proposed minimum charges for the services in question would result in both increases and reductions and that such charges would be more closely related to the costs of providing these services.

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

The application was listed on the Commission's Daily Calendar of May 12, 1971. No objection to the granting of the application has been received.

Commission staff analysis discloses that the proposed single rule for the exclusive use or full utilization of Pacific's carrier equipment would provide uniform charges for similar services and simplify the application of the tariff provisions pertaining thereto. Reductions would result in instances where the smaller carrier equipment is used in connection with the aforementioned services and better utilization of Pacific's 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. Western Motor Tariff Bureau, Inc., is hereby authorized, on behalf of Pacific Motor Trucking Company and Pacific Motor Transport Company, to publish amendments to its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. 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 27<sup>th</sup> day of July, 1971.

Chairman

*William J. Simon*  
*Robert J. [illegible]*  
*Vernon L. Sturgeon*

Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

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Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.