

Decision No. 79338

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pearson Trucking & Rigging, Inc. under the Shortened Procedure Tariff Docket to publish tariff provisions resulting in increases because of proposed amendments to various accessorial service rules contained in its Local Freight Tariff No. 2.)	
)	
)	Shortened Procedure
)	Tariff Docket
)	Application No. 52726
)	(Filed June 30, 1971)
)	

OPINION AND ORDER

By this application, Pearson Trucking & Rigging, Inc., a corporation, seeks to increase the charges in its tariff:

(1) from \$9.00 to \$10.60 per man per hour for furnishing additional help during regular working hours except on Sundays and holidays;

(2) from \$13.05 to \$14.65 per man per hour for performing the above service on Sundays and holidays and during other-than-regular working hours on other days; (3) from \$9.50 to \$10.70 per hour for furnishing an escort vehicle and driver; and (4) from \$10.80 to \$12.15 for the service of securing each permit. Applicant also proposes to cancel its hourly rate of \$15.90 for furnishing a one-man hydraulic monorail truck.¹

Applicant states that the aforementioned charges apply to accessorial services performed by it in connection with the transportation of property which, because of its size, shape or weight, requires special handling and the use of low-bed equipment.

¹ The present charges are set forth in Items Nos. 15, 50, 60 and 100 of Pearson Trucking & Rigging, Inc. Local Freight Tariff No. 2, Cal.P.U.C. No. 2.

Applicant avers that the involved transportation is exempt from the application of the Commission's minimum rates and that the Commission authorized common carriers to increase their rates on exempt commodities, which were on a level other than the minimum rates, by the same amount as was authorized for the minimum rates in Minimum Rate Tariff 2.² Applicant alleges that it did not increase the charges in question at that time and that such authority has expired.

Applicant declares that the proposed increases will bring the charges for furnishing additional labor, providing escort service and securing transportation permits up to the same level as the charges currently published by the Commission in its Minimum Rate Tariff 2 for similar services. Applicant contends that the proposed increase covering additional labor charges for service provided on Sundays and holidays and for unusual hours of service is intended only to compensate the carrier for the out-of-pocket cost involved. Applicant alleges that the hourly rate for one-man hydraulic monorail truck has been found to be noncompensatory and that the higher charges provided in the tariff for various other types of equipment would apply upon cancellation of the rate as proposed.

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

The application was listed on the Commission's Daily Calendar of July 2, 1971. No objection to the granting of the application has been received.

Commission staff analysis discloses that the sought increases in rates and charges would apply to transportation, which

² Decision No. 73030 dated December 8, 1970, in Case No. 5432 (Petition for Modification No. 596).

is exempt from the application of the Commission's minimum rates. Such increases are required to offset increased labor costs and are commensurate with those, which were authorized by Decision No. 78030 for certain exempt transportation by various highway carriers. Applicant did not increase the rates in question within the time period specified by the above decision and is now seeking such authority. 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. Pearson Trucking & Rigging, Inc., is hereby authorized to publish increased rates and charges in its Local Freight Tariff No. 2, Cal.P.U.C. No. 2, 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.

(SPT) A. 52726 - np *

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

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

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Chairman

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Commissioners