

ORIGINAL

Decision No. 79345

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of C. R. Nickerson, Agent)
and Attorney, for and on behalf of)
Walter F. Peters, doing business as)
Peters Truck Lines, by virtue of)
Power of Attorney to said Agent,)
under Shortened Procedure Tariff)
Docket, to establish and maintain)
new Rule 429 under Rules and Regula-)
tions Section of Pacific Coast Tariff)
Bureau Tariff No. 16, Cal.P.U.C. No.1)
(Express) and 19 (Freight), of C. R.)
Nickerson, Agent, providing for spe-)
cial Expedited Service, to the extent)
outlined in Exhibit "A" attached)
hereto and made a part of this appli-)
cation.)

Shortened Procedure
Tariff Docket
Application No. 52752
(Filed July 15, 1971)

-AND-

For authority to depart from the
terms of Section 454 of the Public
Utilities Code when accomplishing
proposed publication.

OPINION AND ORDER

By this application, C. R. Nickerson seeks authority, on behalf of Walter F. Peters, doing business as Peters Truck Lines (Peters), to establish in one of his tariffs a new rule providing rates and charges covering Special Expedited Service.¹ The proposed rates will be published in cents per hour and would apply in lieu of distance class and commodity rates published in cents per 100 pounds.

¹ The proposed rule will be published as Rule No. 429 of Pacific Coast Tariff Bureau Tariff No. 16, Cal.P.U.C. Nos. 1 (Express) and 19 (Freight), C. R. Nickerson, Agent (Tariff No. 16).

Applicant states that Peters is often requested by a shipper or consignee to provide expedited service requiring a special trip and that when such special service is performed, the cost of labor and other expenses far exceed the revenue derived by the carrier. Applicant sets forth two examples for shipments of 500 pounds each where the proposed hourly rates will result in substantially higher charges than the otherwise applicable rates in cents per 100 pounds. Applicant points out that certain other highway common carriers currently publish hourly rates for special expedited service.

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

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

Commission staff analysis discloses that the proposed hourly rates and charges would apply to transportation which is of a specialized nature, offer exclusive use of equipment, bypasses terminals and are largely labor oriented. Freight rates based on cents per 100 pounds which are otherwise applicable will not return to the carrier his out-of-pocket costs of providing the special expedited service. The proposed rates result in increased charges per shipment in every instance, but they would be applicable only upon the shipper ordering the expedited service. The increases appear justified for the transportation in such circumstances and 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 publication of the rates as specifically 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. C. R. Nickerson, Agent, is hereby authorized, on behalf of Walter F. Peters, doing business as Peters Truck Lines, to publish a rule in his Pacific Coast Tariff Bureau Tariff No. 16, Cal.P.U.C. No. 1 (Express) and Cal.P.U.C. No. 19 (Freight), as specifically proposed in the application.

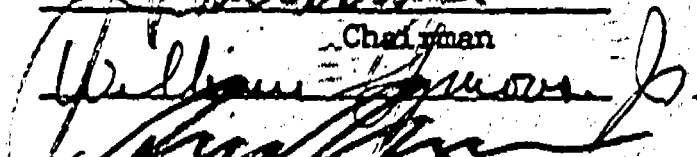
2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and to the public.

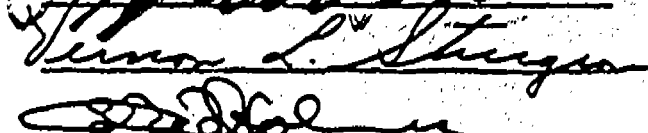
3. The authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

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

Dated at San Francisco, California, this 28th day of NOVEMBER, 1971.



Chairman




Commissioners