

Decision No. 79904

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Hills Transportation Co.)	
under the Shortened Procedure Tariff)	
Docket to publish tariff provisions)	Shortened Procedure
resulting in increases because of pro-)	Tariff Docket
posed transfer of applicant's rates to)	Application No. 52972
Western Motor Tariff Bureau, Inc.,)	(Filed November 4, 1971)
from its individual issue and another)	
tariff bureau.)	

OPINION AND ORDER

By this application, Hills Transportation Co. seeks authority to cancel its individual tariff and its participation in tariffs issued by Leland C. Smith, Agent, Pacific Motor Tariff Bureau, Inc. (PMTB),¹ and concurrently therewith become a party to tariffs issued by Western Motor Tariff Bureau, Inc., Agent (WMTB).² Applicant also proposes to cancel

¹ Specifically, applicant proposes to cancel its Local and Joint Freight Tariff No. 3, Cal.P.U.C. No. 2, and have its participation canceled in PMTB Freight Tariff No. 11, Cal.P.U.C. No. 2; Exception Sheet No. 1, Cal.P.U.C. No. 4; Local Freight Tariff No. 6-F, Cal.P.U.C. No. 5; Local Freight Tariff No. 16, Cal.P.U.C. No. 7; and Local Freight Tariff No. 17, Cal.P.U.C. No. 8.

² Applicant proposes to become a party to WMTB Scope of Operations and Participating Carrier Tariff No. 100, Cal.P.U.C. No. 3; Local and Proportional Freight Tariff No. 101, Cal.P.U.C. No. 4; Local Freight and Express Tariff No. 106, Cal.P.U.C. No. 11; Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13; Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15; Exception Sheet No. 1-A, Cal.P.U.C. No. 18; Local and Proportional Freight and Express Tariff No. 104-A, Cal.P.U.C. No. 23; Tariff No. 117, Cal.P.U.C. No. 27; Local Freight Tariff No. 118, Cal.P.U.C. No. 29; and Distance Table No. 7, Cal.P.U.C. No. 30.

certain rail competitive rates, which it currently maintains in its individual tariff, by not having such rates published in the WMTB tariffs for its account.³

Applicant asserts that the proposed transfer of its local rates from its individual tariff and those of PMTB to those of WMTB would enable it to be in a better competitive position with a substantial number of carriers which operate under the rates named in the WMTB tariffs. Applicant states that it now maintains for joint services by it and other carriers rates in the WMTB tariffs which it proposes herein to apply to its local service. Applicant avers that its proposal would result in increases due to inherent differences between the involved tariffs generally in connection with the rules governing accessorial services. Applicant declares that it has not moved traffic for some time under the rail competitive rates in question and contends that the proposed cancellation of such rates would be in the interests of tariff simplification.

Applicant asserts that increases resulting from the proposed publication and cancellation of rates 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 November 5, 1971. No objection to the granting of the application has been received.

Commission staff analysis discloses that the rate levels in the aforementioned tariffs are generally the same but that increases and reductions would result from the application of the proposed rules in connection with accessorial services due to the differences in the rules in the two agency tariffs. Increases, which may result from these differences, would be minimal as the involved volume of traffic is

³The rail competitive rates are set forth in Exhibit A attached to the application.

relatively minor. Few, if any, actual increases need result from the proposed cancellation of the rail competitive rates since such rates have not generated any traffic for some time and service would still be available at the present rates from other authorized highway carriers. The staff recommends that the application be granted by ex parte order.

In the circumstances, it appears, and the Commission finds, that applicant's proposal is reasonable and justified. A public hearing is not necessary.

The Commission concludes that the increases granted will not contribute to inflationary expectations and are necessary to assure continued and adequate service. Therefore, they fall within the guidelines established pursuant to the Federal Government's economic stabilization program as more specifically set forth in the certificate appended.

IT IS ORDERED that:

1. Hills Transportation Co. is hereby authorized to cancel its Local and Joint Freight Tariff No. 3, Cal.P.U.C. No. 2 and to have its participation canceled from various tariffs issued by Leland C. Smith, Agent, Pacific Motor Tariff Bureau, Inc., as more specifically proposed in the application.

2. Hills Transportation Co. is hereby authorized to have its participation published in various tariffs issued by Western Motor Tariff Bureau, Inc., as more specifically proposed in the application.

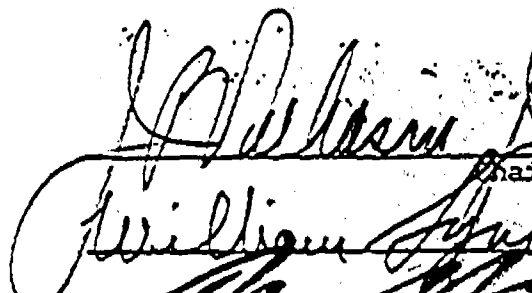
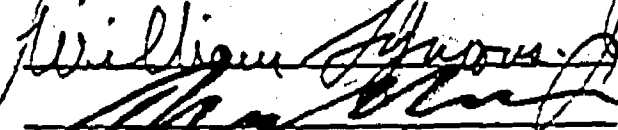
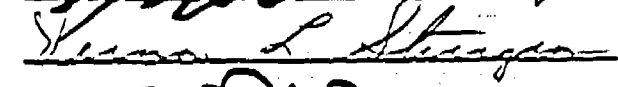
3. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and to the public.

4. The effective date of tariff publications authorized by Ordering Paragraph 1 hereof shall be concurrent with the effective date of tariff publications authorized in Ordering Paragraph 2 hereof.

5. 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 4th day of April, 1972.


Chairman


Commissioners

Certificate of the Public Utilities
Commission of the State of California Re
Increases in Rates for Certain Transportation
Services Performed by For-Hire Highway Carriers
within California

Pursuant to provisions of Section 300.16 of the Economic
Stabilization Act Amendments of 1971, the Public Utilities Commission
of the State of California does hereby certify to the Federal Price
Commission as follows:

1. The decision of the California Public Utilities Commission to which this certification is attached authorizes the carrier to cancel its local rates from its individual tariff and an agency tariff and concurrently become a participant in the rates in another agency tariff for local services performed by it. The authority also permits the cancellation of certain truck rates which are competitive with rail rates.
2. Participation in the rates in the other agency tariff will result in increases and reductions due to the inherent differences in the rules in the involved tariffs. Such differences make it impossible to measure the increases but the overall effect of such increases on the carrier's revenue is insignificant.
3. Cancellation of the rail competitive rates will not increase transportation costs to shippers inasmuch as no movement is anticipated in the future under the higher minimum truck rates which will apply upon cancellation of said rail competitive rates.
4. The instant application meets the criteria set forth in Rule 25 of the Commission's Rules of Practice and Procedure for processing applications under the Shortened Procedure Tariff Docket by showing that public hearing is not necessary in this proceeding and that the increases would not increase the carrier's California intrastate gross revenue by as much as one percent.
5. The increases should not significantly affect the carrier's overall gross revenue nor cause any inflationary impact on the cost of transportation services.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

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April , 1972