

Decision No. 79910

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff )  
Bureau, Inc. under the Shortened )  
Procedure Tariff Docket to publish )  
for and on behalf of Devine & Son )  
Trucking Co., and all other )  
carriers as shown in Exhibit "A", )  
tariff provisions resulting in an )  
increase because of the proposed )  
cancellation of certain specific )  
rail competitive commodity rates. )

Shortened Procedure  
Tariff Docket  
Application No. 53080  
(Filed December 31, 1971)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of various carriers,<sup>1</sup> to cancel their participation in certain rail competitive commodity rates in one of its tariffs.<sup>2</sup> Upon cancellation of these commodity rates, higher class rates would apply.

Applicant states that the resulting increases are technical in nature since the carriers have not recently handled any traffic under the commodity rates proposed to be canceled. Applicant

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The carriers are Devine & Son Trucking Co., Arthur R. Altnow, dba Lodi Truck Service, Miles Motor Transport System, Monson Truck Co., Southern California Freight Forwarders, Sterling Transit Company, Inc. and T.I.M.E.-DC, Inc.

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These rates apply to the transportation of canned goods, chemicals, liquors, packing house products, petroleum, petroleum products, roofing or building materials, soap, soapstone and sugar from, to or between points in central and southern California. They are set forth in detail in Items 325, 326, 1109.9, 1193, 1332.3, 1356, 1360, 1363, 1370, 1496, 1498, 1660, 1709, 1852, 1853, 1880, 1892, 1898.3, 2010, 2102 and 2122 of Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13, of Western Motor Tariff Bureau, Inc., Agent.

averts that the proposed application of class rates to the aforementioned transportation is not primarily intended to be a revenue producing measure but would provide a means of protection against traffic producing operating losses.

Applicant asserts that increases resulting from the proposed cancellation of rates would not increase by as much as one percent the California intrastate gross revenue derived by any of the carriers involved.

The application was listed on the Commission's Daily Calendar of January 4, 1972. No objection to the granting of the application has been received.

Commission staff analysis discloses that the rates in question are below the level of the truck rates for the involved transportation and were established to meet rail competition. The volume of movement under these rail competitive rates has diminished over the years. Currently no traffic is moving under these rates and the carriers have now elected not to meet this competition. Few, if any, actual increases need result from the proposed cancellation of rates since 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. 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:

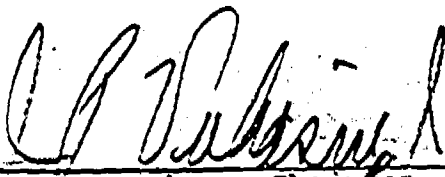
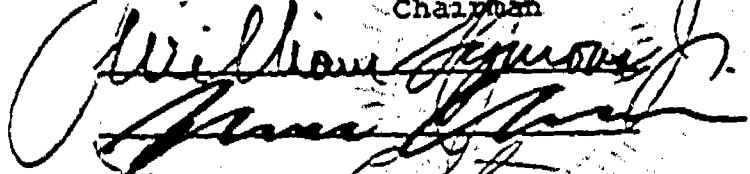
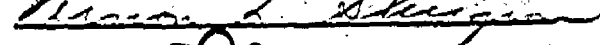

1. Western Motor Tariff Bureau, Inc., is hereby authorized, on behalf of Devine & Son Trucking Co. and the other carriers named in Exhibit "A" attached to the application, to publish amendments to its Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13, as specifically 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 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 cancellation of certain truck rates which are competitive with rail rates. As a result of said cancellation, higher minimum truck rates would hereafter be applicable if there is any traffic to be moved thereunder.
2. Said decision results only in technical increases and the cancellation of "dead" rates under which no traffic has moved.
3. No increase in transportation costs to shippers is involved inasmuch as no movement is anticipated in the future under the higher truck minimum 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 involved carriers' California intra-state gross revenue by as much as one percent.
5. The cancellation of the rail competitive rates will not result in an increase in the carriers' overall gross revenues nor cause any inflationary impact on the cost of transportation services.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

State Building  
350 McAllister Street  
San Francisco, California 94102

April , 1972