

Decision No. 79916

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)	Shortened Procedure
for and on behalf of Shippers-)	Tariff Docket
Encinal Express, Inc. provisions)	Application No. 53109
resulting in increases because of)	(Filed January 25, 1972)
publication of a new rule section)	
dealing with charges for unusual)	
hours of service.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of Shippers-Encinal Express, Inc. (Shippers), to include Shippers as a participant in a rule in one of its tariffs providing charges for services performed during unusual hours.¹

The rule involved provides for the assessment of additional charges of \$3.13 per hour per man, minimum charge \$3.13 per man, for loading and/or unloading shipments between the hours of 5:15 p.m. and 3:15 a.m., Mondays through Fridays, and \$6.24 per hour per man, minimum charge 4 hours per man, for performing these services on Saturdays, Sundays or holidays, when so requested by the shipper or consignee.

¹

The rule is published in Paragraphs (A), (B) and (C) of Item No. 134 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13.

Applicant avers that property is generally tendered to Shippers during regular business hours but that the carrier is occasionally requested to perform the aforementioned services at unusual hours. Applicant alleges that such requests invariably entail special arrangements with the carrier's employees and that Shippers incurs out-of-pocket losses in performing these services at unusual hours under overtime wage rates.

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

The application was listed on the Commission's Daily Calendar of January 26, 1972. No objection to the granting of the application has been received.

Commission staff analysis discloses that additional labor costs are incurred by Shippers in those instances where, upon request, loading and unloading services are performed during unusual working hours and on Saturdays, Sundays and holidays. The proposed charges would enable Shippers to offset the additional costs involved. 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. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized, on behalf of Shippers-Encinal Express, Inc., to publish

in its Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13, additional charges for loading and/or unloading shipments 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 14th day of April, 1972.

L. Abt

J. P. Volmering Chairman

Chairman

William L. Sturgeon
John L. Sturgeon
Ed. L. Sturgeon
Commissioners

(SPT) A. 53109 - nm*

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 assess charges for performing services during unusual hours (between 5:15 PM and 8:15 AM, Mondays through Fridays excepting holidays) and services on Saturdays, Sundays and holidays. The carrier does not currently publish charges for such services. These charges are new and are based on the cost of providing such services. The resulting increases are insignificant for the occasional services performed when related to the overall operations of the carrier.
2. 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.
3. 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