

Decision No. 80483

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 System 99,)	Shortened Procedure
and all other carriers as shown in)	Tariff Docket
Exhibit "A" tariff provisions)	Application No. 53370
resulting in an increase because)	(Filed June 1, 1972)
of the proposed cancellation of)	
certain specific rail competitive)	
commodity rates.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of System 99 and five other carriers, to cancel the carriers' participation in various rail-competitive commodity rates.¹ Upon cancellation of the rates, as proposed, higher class rates would apply.

Applicant states that the involved carriers have reviewed their records and have determined that the rates proposed to be canceled have not been used for some time and have become dead or obsolete rates. Applicant avers that movements under these rates in the past have been infrequent and have resulted in operating losses in most instances. Applicant contends that, with constantly rising carrier costs, the proposed cancellation of these rates would serve to provide some measure of protection against traffic producing operating losses.

¹These rates are set forth in Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13, and generally apply to various commodities from, to and between points in the San Francisco Bay Area, San Joaquin and Sacramento Valleys and Los Angeles Basin Area. The five other carriers are: California Motor Express, Ltd., Nielsen Freight Lines, O.N.C. Motor Freight System, Paxton Trucking Company and Alltrans Express California, Inc.

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

The application was listed on the Commission's Daily Calendar of June 5, 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 and such rates have become obsolete insofar as the involved carriers are concerned. 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 increases resulting from the cancellation of the rates as proposed herein are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

Pursuant to paragraph (E) (2) (e) of Rule 23.1 of the Commission's Rules of Practice and Procedure, no findings regarding compliance with the Federal Economics Stabilization Act are required for Shortened Procedure Tariff Docket filings seeking carrier rate adjustments under Rule 25 thereof.

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., is hereby authorized, on behalf of System 99 and the other carriers named in Exhibit "A" attached to the application, to cancel the participation of said carriers from certain rates in its Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13, as specifically proposed in said application.

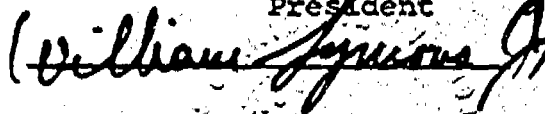
2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and to the public.

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 12th day of September, 1972.


President




Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.