

**80511**

Decision No. \_\_\_\_\_

**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 )  
Willig Freight Lines, Transcon Lines, ) Shortened Procedure  
System 99, Warn Bros. Inc. D.B.A., Crescent ) Tariff Docket  
Truck Lines, tariff provisions resulting ) Application No. 53434  
in an increase because of the proposed ) (Filed June 30, 1972)  
cancellation of certain specific rail )  
competitive commodity rates. )

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 increases, which would result from the proposed cancellation of rates, are technical in nature since the carriers have not recently handled any traffic under such rates. Applicant alleges that this traffic is moving via other carriers under rates which are lower than those herein proposed to be canceled. Applicant contends that the continued publication of rates on which no traffic is being moved by the carriers herein involved serves no useful purpose.

<sup>1</sup> The carriers are Willig Freight Lines, Transcon Lines, System 99 and Warn Bros. Inc., dba Crescent Truck Lines.

<sup>2</sup> These rates apply to the transportation of Bars, sheet; Molds, ingot; Skelp; Slabs, in the rough; Weights, not including sash weights; and Tanks, K.D. and Tank Towers, K.D. They are set forth in detail in Items Nos. 290, 1018, 1028, 1031, 1035, 1036, 1037 and 1039 of Local and Proportional Freight Tariff No. 101, Cal. P.U.C. No. 4, of Western Motor Tariff Bureau, Inc., Agent.

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 July 3, 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 or lower 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 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:


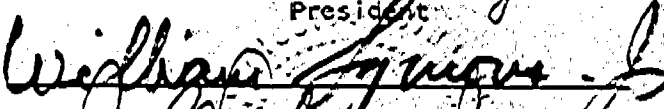
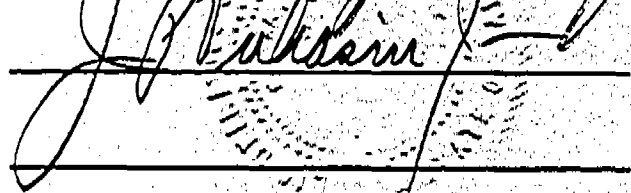

1. Western Motor Tariff Bureau, Inc., is hereby authorized, on behalf of Willig Freight Lines, Transcon Lines, System 99 and Warn Bros. Inc., dba Crescent Truck Lines, to publish amendments to its Local and Proportional Freight Tariff No. 101, Cal.P.U.C. No. 4, as specifically proposed in the application.

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 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 10<sup>th</sup> day of September, 1972.

  
President  
  
  
  
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.