

ORIGINAL

Decision No. 80778

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 L. R. Denney, )  
Inc., a California Corporation, and )  
More Truck Lines, tariff provisions )  
resulting in an increase because of )  
the proposed cancellation of certain )  
specific rail competitive commodity )  
rates. )

Shortened Procedure  
Tariff Docket  
Application No. 53606  
(Filed September 27, 1972)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, on behalf of L. R. Denney, Inc., a corporation (Denney), and More Truck Lines (More), to cancel the carriers' participation in a rail competitive rate on cement, in bulk, from Victorville to Watson.<sup>1</sup> Upon cancellation of the rate, as proposed, a higher distance commodity rate would apply.

Applicant states that Denney and More have reviewed their records and have determined that the rate proposed to be canceled has not been used by Denney during the past year and by More for the past ninety days. Applicant avers that little or infrequent traffic has moved under the rate in question and no future movement is anticipated under such rate.

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

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<sup>1</sup>The rate is set forth in detail in Item 4025 of Local Freight Tariff No. 17, Cal. P.U.C. No. 21.

The application was listed on the Commission's Daily Calendar of September 28, 1972. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that increases resulting from the cancellation of the rate 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 Economic 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 L. R. Denney, Inc., a corporation, and More Truck Lines, to cancel their participation in Item 4025 in its Local Freight Tariff No. 17, Cal. P.U.C. No. 21, 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 5th day of December, 1972.

Vernon L. Stungen  
President  
William J. Quinn-Jr.  
William J. Quinn-Jr.  
William J. Quinn-Jr.  
Commissioners

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