

ORIGINAL

Decision No. 80804

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of PUBLIC DISTRIBUTION CORPORATION
for an Order Authorizing Applicant
to increase rates and charges pur-
suant to Public Utilities Code
Section 454 and Rule 23 of the
Commission's Rules of Procedure
as amended by Resolution No. A-4014.

Application No. 53600
(Filed September 21, 1972)

INTERIM OPINION AND ORDER

Public Distribution Corporation operates as a public utility warehouseman at Vernon. In this application it requests an ex parte order authorizing it to increase on an interim basis various accessorial charges, as proposed in the application, on five days' notice to the Commission and the public. Applicant also requests this proceeding be held open for the purpose of receiving an amendment to the application proposing increases in storage and handling and for the purpose of studying the effectiveness of the proposed interim increases.

In support of the request for immediate interim rate relief, the application alleges as follows: Applicant's public utility warehouse operations were conducted at a loss for the two-month period ended July 31, 1972, as represented by an operating ratio of 105.7 percent. The accessorial labor charges proposed in its application are no higher than those presently charged by applicant's competitors in the metropolitan Los Angeles area which are applicants in Application No. 53404.

Applicant asserts that it should be permitted to obtain from its storers rates and charges which are compensatory and are more comparable to those charged by its competitors.

Pursuant to Rule 23.1(A) of the Commission's Rules of Procedure, applicant states that it has less than 60 employees (30), and has no national labor contracts. Applicant requests permission under Rule 87 of the Commission's Rules of Procedure to deviate from Rule 23 in order to secure just, speedy and inexpensive determination of the issues presented without requiring submission of more extensive and detailed financial data.

The application shows that it was served in accordance with procedural rules and that applicant's storers were notified. Notice of the filing of the application appeared in the Commission's Daily Calendar. There are no protests.

Based on the application, the Commission finds:

1. Applicant is in need of the additional revenues which will result from the proposed increases in accessorial service charges.
2. The increased accessorial charges will not exceed those charged by the majority of the competing public utility warehousemen in the metropolitan Los Angeles area.
3. Deviation from the requirements of Rule 23 of the Commission's Rules of Procedure is justified for the interim phase of this proceeding.
4. The proposed increase in accessorial charges as proposed in the application is justified.
5. Pursuant to subparagraph (A) of Rule 23.1 of the Commission's Rules of Procedure, the sought rate increases are exempt from the requirements of that rule, applicant being a utility which qualifies for the small business exemption set forth in Title 6, Economic Stabilization, Section 101.51, subparagraph (E).
6. A public hearing is not necessary.

The Commission concludes that interim relief should be granted as proposed in the application and that the matter should remain open for further consideration.

IT IS ORDERED that:

1. Public Distribution Corporation is authorized to establish the increased accessorial service charges proposed in the application herein.

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 five days after the effective date of this order on not less than five days' notice to the Commission and the public.

3. The authority granted herein shall expire unless exercised within ninety days after the effective date of this order.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 12th
day of DECEMBER, 1972.

Vernon L. Sturgeon
President
William Symons, Jr.

Sam Stein
Commissioners

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