

Decision No. 81209

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 cancel)
its Tariff No. 5, Cal.P.U.C. No. 5,)
Series of T.A.L. Loretz, Agent, for)
and on behalf of carriers partici-)
pating therein, and to allow said)
carriers to adopt provisions of)
Bureau Tariff No. 111, Cal.P.U.C.)
No. 15 which will result in in-)
creases.)

Shortened Procedure
Tariff Docket
Application No. 53756
(Filed December 18, 1972)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc. (WMTB), seeks authority, on behalf of five highway common carriers,¹ to cancel one of its tariffs² and, concurrently with the proposed tariff cancellation, to add the participation of the involved carriers to other WMTB tariffs.³

¹ The involved highway common carriers are: Alltrans Express California, Inc., Bisher Truck Lines, Inc., Needles-Blythe Freight Lines, W. Ross Starkey, dba Pacific Messenger Service, and Trucking Unlimited.

² The tariff is Local and Joint Tariff No. 5, Cal.P.U.C. No. 5, Series of T.A.L. Loretz, Agent, which was adopted by WMTB per its Substitution of Agent Supplement No. 28, effective July 1, 1972 (hereinafter referred to as Tariff No. 5).

³ The carriers would adopt the provisions of WMTB Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15 (hereinafter referred to as Tariff No. 111). Except for Alltrans Express California, Inc., and Bisher Truck Lines, Inc., the involved carriers would also adopt the provisions of WMTB Exception Sheet No. 1-A, Cal.P.U.C. No. 18.

Applicant states that, due to the inherent differences in the rules in the tariffs, increases would result in instances where charges are assessed under Tariff No. 111 for the performance of additional services involving: (1) pickup or delivery at a residence; (2) delays to carrier equipment due to shipper's or receiver's inability to load or unload the shipment at time of tender; and (3) each attempt at delivery of a shipment after the shipment is once tendered for delivery during usual business hours and such shipment is not delivered through no fault of the carrier. Applicant declares that Tariff No. 5 does not provide a specific charge for the aforementioned accessorial services. According to the application, the storage charges in Tariff No. 111 are higher in some instances and lower in other instances than those in Tariff No. 5 due to differences in the units of measurement and the weight limitations. Applicant avers that its proposal would be in the interests of tariff simplification and would result in substantial savings in tariff publication expenses for the carriers in question.

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

The application was listed on the Commission's Daily Calendar of December 19, 1972. No objection to the granting of the application has been received.

In the circumstances, 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 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 Alltrans Express California, Inc., Bisher Truck Lines, Inc., Needles-Blythe Freight Lines, W. Ross Starkey, doing business as Pacific Messenger Service, and Trucking Unlimited, to cancel their participation in its Local and Joint Tariff No. 5, series of T.A.L. Loretz, Agent, and to participate in its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15, and Exception Sheet No. 1-A, Cal.P.U.C. No. 18, as specifically proposed in the application.

2. Tariff publications authorized to be made as a result of the order herein 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 Los Angeles, California, this 27th day of March, 1973.

Vernon L. Sturgeon
President

William J. Synnott, Jr.
William J. Synnott, Jr.

Alvin J. [Signature]
[Signature]
Commissioners