

Decision No. 81231

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 Al Scannavino)
doing business as Al Scannavino)
Trucking Co. increases in rates)
for the transportation of specific)
commodities, in bulk in tank truck)
vehicles.)

Shortened Procedure
Tariff Docket
Application No. 53826
(Filed February 5, 1973)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority, for and on behalf of Al Scannavino, doing business as Al Scannavino Trucking Co., to publish increases in the carrier's tariff rates for the transportation of crushed grapes, grape concentrate, grape juice, grape lees, vinous liquors and wine, in bulk in tank truck vehicles between various points in California.¹

Applicant proposes to increase the carrier's current rates for tank vehicles of 6,500- and 6,700-gallon capacities from 45 and 46 cents to 46 and 47 cents per constructive mile, respectively, for each unit of equipment furnished.

¹ The rates involved are published in Item No. 980 of Al Scannavino, doing business as Al Scannavino Trucking, Local Freight Tariff No. 5, Cal.P.U.C. No. 2.

Applicant states that the rates for such transportation were last increased effective January 1, 1972.² Applicant asserts that since that date the carrier's operating costs have been increased twice, once on July 1, 1972 and again on January 1, 1973, in accordance with the carrier's applicable contracts with the Teamsters Union.

Applicant avers that the transportation in question is exempt from minimum rate regulation by the Commission due to the type of equipment utilized (tank truck). As a result, such transportation is excluded, in some instances, from rate increases that are authorized by the Commission for the transportation of the same commodities in other types of equipment. Applicant alleges that the proposed rates are just and reasonable and are necessary to insure that the operations involved may be compensatory.

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

The application was listed on the Commission's Daily Calendar of February 7, 1973. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that the proposed increases in rates are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

² Pursuant to Commission authority in Decision No. 79483 dated December 14, 1971, in Case No. 5432 (Petition No. 665).

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 Al Scannavino, to publish increased rates in Item No. 980 of the carrier's Local Freight Tariff No. 5, Cal.P.U.C. No. 2, 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 3rd day of April, 1973.

Vernon L. Sturgeon
President
William J. Lyons, Jr.
John J. Lyons
John J. Lyons
John J. Lyons
Commissioners