

Decision No. 81234

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 )	Shortened Procedure
for and on behalf of Alltrans Ex- )	Tariff Docket
press California, Inc. provisions )	Application No. 53781
resulting in increases because of )	(Filed January 9, 1973)
amendments to Item No. 4880.7 of )	
applicant's Tariff No. lll. )	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent, seeks authority, on behalf of Alltrans Express California, Inc. (Alltrans), to amend the surcharge provisions in one of its tariffs<sup>1</sup> by indicating that the surcharges would apply to "shipments assessed rates subject to a minimum weight of 10,000 pounds or less" instead of to "shipments weighing 10,000 pounds or less."

Applicant alleges that its primary purpose in this matter is to clarify the existing surcharge provisions. Applicant states that the surcharge for a shipment varies depending upon the weight of such shipment and that surcharges are provided for 6 specific weight brackets. Applicant declares that, under the provisions governing the application of the surcharges, it could be construed that a shipment weighing 10,001 pounds would not be subject to a surcharge even though the charges would be determined under the 10,000-pound rate. Applicant avers that this was not the intent of Alltrans as is readily evidenced by the fact that the specific surcharge for a 10,000-pound shipment (\$3.40) applies to shipments in the weight bracket "over 5,000 but not over 19,999 pounds."

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<sup>1</sup>The surcharge provisions apply to shipments which are subject to class rates. These provisions are set forth in Paragraph (2) of Item No. 4880.7 of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. lll, Cal. P.U.C. No. 15.

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

The application was listed on the Commission's Daily Calendar of January 10, 1973. 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., Agent, is hereby authorized, on behalf of Alltrans Express California, Inc., to publish in its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15, surcharge provisions 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.

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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. Sturgeon, Jr.

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Commissioners