

ORIGINAL

Decision No. 81635

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 Victory Trans- )  
portation Service, Inc. tariff )  
provisions resulting in an increase )  
because of the proposed cancella- )  
tion of certain specific rail com- )  
petitive commodity rates. )

Shortened Procedure  
Tariff Docket  
Application No. 54036  
(Filed May 16, 1973)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., (WMTB), seeks authority, on behalf of Victory Transportation Service, Inc. (VTS), to cancel the carrier's participation in a rail competitive 110,000-pound rate for the transportation of canned goods from points in the San Jose area to points in the Los Angeles area.<sup>1</sup> A higher commodity rate would apply upon cancellation of the rate, as proposed.

Applicant states that VTS has reviewed its records and has determined that no traffic has moved under the rate in question for over a year and a half. Applicant contends that its proposal would have no effect on the shipping public since another carrier participates in the aforementioned rate in its Tariff No. 109.

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

The application was listed on the Commission's Daily Calendar of May 17, 1973. No objection to the granting of the application has been received.

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<sup>1</sup> The rate is set forth in detail in Item No. 1175 of WMTB Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13.

In the circumstances, the Commission finds that increases resulting from cancellation of the rate, as proposed, 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:

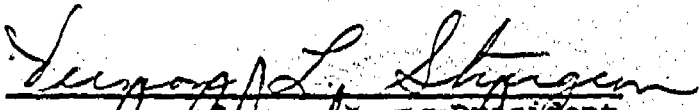


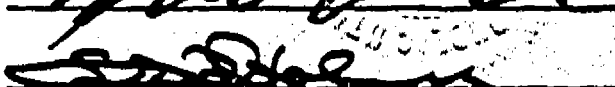
1. Western Motor Tariff Bureau, Inc., is hereby authorized, on behalf of Victory Transportation Service, Inc., to cancel the carrier's participation in a rate in Item No. 1175 in its Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13, as specifically proposed in the application.

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.

JULY Dated at San Francisco, California, this 24<sup>th</sup> day of 1973.

  
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President  
  
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Commissioner William S. Brown  
necessarily absent. did not participate  
in the disposition of this proceeding.