

ORIGINALDecision No. 82436

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 California)	Tariff Docket
Motor Express, Ltd. tariff provisions)	Application No. 54377
resulting in an increase because of)	(Filed October 11, 1973)
the proposed cancellation of certain)	
specific rail competitive commodity)	
rates.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., (WMTB), seeks authority, on behalf of California Motor Express, Ltd. (CME), to cancel from one of its tariffs CME's participation in a rail competitive 110,000-pound rate on canned goods and related articles from points in San Francisco Territory to points in Los Angeles Basin Territory.¹ Upon cancellation of the rate, as proposed, higher class or commodity rates would apply.

Applicant states CME has reviewed its records and has determined that no traffic has moved under the involved 41-cent rate for some time possibly because the motor carrier rate is considerably above the 34-cent rate applicable via rail on a minimum weight of 110,000 pounds. Applicant avers that the proposed cancellation of CME's participation in the 41-cent rate would have no effect on the shipping public inasmuch as another highway carrier presently participates in the aforementioned rate and permitted carriers may assess that rate, or lower rates, at will.

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

¹ A rate of 41 cents per 100 pounds is set forth in detail in Items 1160, 1165 and 1175 of WMTB Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13, for the transportation in question.

The application was listed on the Commission's Daily Calendar of October 12, 1973. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that increases resulting from the proposal herein are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:


1. Western Motor Tariff Bureau, Inc., is hereby authorized, on behalf of California Motor Express, Ltd., to cancel the carrier's participation in the 41-cent, 110,000-pound rate on canned goods and related articles published in its Local, Joint and Proportional Freight and Express Tariff No. 109, Cal.P.U.C. No. 13, as specifically proposed in the application.

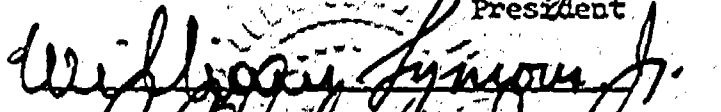
2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than the fifth day after the effective date of this order on not less than five days' notice to the Commission and to the public.


The authority granted herein 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 Diego, California, this 5th day of February, 1974.



President







Commissioners