

Decision No. 82441

**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 Citizens )	Tariff Docket
Transportation Co. of Riverside, )	Application No. 54429
provisions resulting in increases )	(Filed November 5, 1973)
because of proposed changes in the )	
method of computing hourly rates. )	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., seeks authority on behalf of Citizens Transportation Co. of Riverside (Citizens), to amend a rule in one of its tariffs governing the transportation of property between points in Los Angeles and Orange Counties under hourly rates.<sup>1</sup>

Applicant states that the rule presently provides:

(1) for the computation of the time for assessing charges for the above transportation from the time the carrier's equipment arrives at point of origin to the time unloading is completed at point of destination; and (2) the assessment of an additional charge of \$4.60 per hour or fraction thereof for service between the hours of 6:00 P.M. and 7:00 A.M. and on Saturdays, Sundays and 4 specific holidays and \$9.20 per hour or fraction thereof for service on other holidays. Applicant proposes that: (1) the time be computed from the time Citizens' equipment and helper leave the carrier's terminal to the time such equipment and helper return thereto; and (2) the hourly rates be limited to 8 hours service out of 9 consecutive hours per day and an additional charge of \$4.60 per hour or fraction thereof be assessed for all hours in excess of 8 hours out of 9 consecutive hours.

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<sup>1</sup> The hourly rates and governing provisions are set forth in Item No. 680 of Western Motor Tariff Bureau, Inc., Agent, Local Freight Tariff No. 113, Cal.P.U.C. No. 19.

Applicant alleges that the present method of computation of time requires Citizens to travel, in some instances, excess distances to reach the point of origin and return from the point of destination to its terminal without compensation for the excess time involved. Applicant contends that the service hours after 6:00 P.M. and before 7:00 A.M. are not realistic insofar as Citizens is concerned since overtime pay is involved only when the carrier's employee is required to work excessive hours. Applicant avers that the hourly rates in question do not compensate Citizens for the time its equipment and helper are in actual operation and the proposed rule amendments would provide the carrier with the needed revenue to perform this service on a compensatory basis.

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

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

In the circumstances, the Commission finds that increases resulting from amendments of the rule, as proposed, 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 Citizens Transportation Co. of Riverside, to publish amendments to Item No. 680 of Local Freight Tariff No. 113, Cal.P.U.C. No. 19, 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 Diego, California, this 5th day of February, 1974.

Vernon L. Sturgeon  
President  
William J. Symon, Jr.  
J. M. Wilson  
John A. ...  
...  
Commissioners