

**ORIGINAL**Decision No. 82646

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of John T. Reed, President )  
 of Pacific Coast Tariff Bureau, for and )  
 on behalf of Peters Truck Lines, by )  
 virtue of Power of Attorney to said )  
 Pacific Coast Tariff Bureau, under )  
 Shortened Procedure Tariff Docket, to )  
 increase the minimum weights for )  
 exclusive use of carrier's equipment )  
 in Rule 45, Page 44-A of Pacific Coast )  
 Tariff Bureau Freight and Express )  
 Tariff No. 16, Cal.P.U.C. No. 1 )  
 (Express) and 19 (Freight), to the )  
 extent outlined in Exhibit "A" hereof, )  
 and in Rule 137 of Peters Truck Lines, )  
 Local Freight Tariff No. 1, Cal.P.U.C. )  
 No. 1 (Series of Walter F. Peters, )  
 doing business as Peters Truck Lines), )  
 to the extent outlined in Exhibit "B" )  
 hereof. )

Shortened Procedure Tariff  
 Docket Application No. 54509  
 (Filed December 14, 1973)

-AND-

For authority to depart from the terms )  
 of Section 454 of the Public Utilities )  
 Code when accomplishing proposed publi- )  
 cation. )

OPINION AND ORDER

By this application, Pacific Coast Tariff Bureau, on behalf of Peters Truck Lines (Peters), seeks authority to amend certain rules in two tariffs by increasing the minimum weight requirements for exclusive use of carrier's equipment.<sup>1</sup>

The present tariff rules provide for the application of the Class 35 rate subject to minimum weights of 24,000 and 30,000 pounds for

<sup>1</sup>The rules are published in Item 45 of Pacific Coast Tariff Bureau Local, Joint and Proportional Freight and Express Tariff No. 16, Cal.P.U.C. No. 1 (Express) and 19 (Freight) and Item 137 of Peters Truck Lines Local Freight Tariff No. 1, Cal.P.U.C. No. 1 (Series of Walter F. Peters and Myron D. Peters doing business as Peters Truck Lines).

exclusive use of carrier equipment with loading space lengths "over 24 feet but not over 40 feet" and "over 40 feet," respectively. Applicant proposes to amend these rules by applying the Class 35 rate subject to minimum weights of 30,000 and 43,000 pounds for exclusive use of carrier equipment with loading space lengths "over 27 feet but not over 40 feet" and "over 40 feet", respectively.

Applicant states that Peters is unable to break even under the aforementioned rules in those instances where 37-foot trailers are used in transporting light and bulky articles. Applicant declares that Peters has recently purchased 45-foot trailers and performance of the service in question under these rules in such larger equipment has also resulted in operating losses. Applicant avers that the proposed rule amendments would enable Peters to perform this service on a compensatory basis.

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

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

In the circumstances, the Commission finds that increases resulting from amendment of the rules, as proposed, are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:


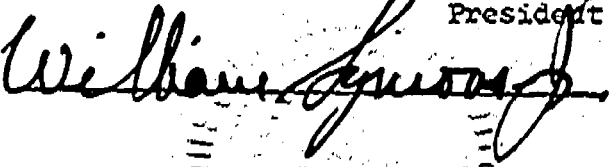
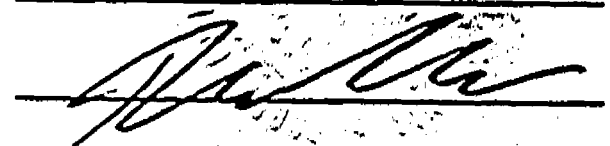

1. Pacific Coast Tariff Bureau is authorized, on behalf of Peters Truck Lines, to publish amendments in its Local, Joint and Proportional Freight and Express Tariff No. 16, Cal.P.U.C. No. 1 (Express) and 19 (Freight) and in Peters Truck Lines Local Freight Tariff No. 1, Cal.P.U.C. No. 1 (Series of Walter F. Peters and Myron D. Peters doing business as Peters Truck Lines), 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 five days after the effective date of this order on not less than five 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.

The order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 26<sup>th</sup> day of March, 1974.

  
President  
  
  
  
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.