

LTC

Decision No. 83163

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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| Application of Western Motor |) | |
| Tariff Bureau, Inc. under the |) | |
| Shortened Procedure Tariff Docket |) | |
| to publish for and on behalf of |) | Shortened Procedure |
| Peerless Trucking Company tariff |) | Tariff Docket |
| provisions resulting in increases |) | Application No. 54800 |
| because of proposed cancellation |) | (Filed April 12, 1974) |
| of Metropolitan Los Angeles Area |) | |
| 1,000 pound class rates. |) | |

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., (WMTB) seeks authority, on behalf of Peerless Trucking Company (Peerless) to cancel the carrier's participation from the 1,000-pound class rates for the transportation of general commodities within a defined Metropolitan Los Angeles Area.¹ Upon cancellation of the rates as proposed, higher class rates would apply.

Applicant states that the carriers participating in its Tariff No. 111 maintained the rates in question on an alternating basis with the rates for like distances which applied outside the Metropolitan Los Angeles area and the rate resulting in the higher charge was the applicable rate. Applicant declares that, for competitive reasons, some Los Angeles carriers canceled the alternating provision in connection with their particular operations. As a result thereof, applicant's General Commodity Standing Rate Committee approved at a meeting held on March 14, 1973, Docket No. 2767, which proposed the complete cancellation of the aforementioned alternating provisions from Tariff No. 111 and such

¹These rates are set forth in detail in Item No. 4440 of WMTB Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15 (Tariff No. 111).

provisions were subsequently canceled generally allowing lower rates to apply.

Applicant avers that Peerless had reason to investigate the impact of these reductions and found that the current rates are not compensatory for its particular operations in the Los Angeles Metropolitan Area. Applicant contends that cancellation of the rates, as proposed, would have little, if any, effect upon the shipping public since all of the other carriers participating in Tariff No. 111 except two apply the lower rates for transportation within the Metropolitan Los Angeles Area.

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

The application was listed on the Commission's Daily Calendar of April 15, 1974. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that increases resulting from the proposal 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 to cancel the participation of Peerless Trucking Company from the 1,000-pound class rates set forth in Item No. 4440 of its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15, 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.

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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 Francisco, California, this 23rd day of July, 1974.

Vernon L. Sturgeon
President
William J. Spence
William C. ...
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Commissioners