

LTC

Decision No. 83166

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor)
Tariff Bureau, Inc. under the)
Shortened Procedure Tariff)
Docket for and on behalf of)
Eagle Truck Lines, Inc., to)
become a party to a rule provid-)
ing exclusive use of vehicle,)
unit of carrier's equipment or)
portion thereof which will)
result in increases over provi-)
sions presently applicable.)

Shortened Procedure
Tariff Docket
Application No. 54848
(Filed May 3, 1974)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., (WMTB) seeks authority, on behalf of Eagle Truck Lines, Inc., (Eagle), to cancel from one of its tariffs Eagle's participation in an exclusive-use-of-equipment rule and concurrently add the carrier's participation in a similar rule in the same tariff.¹

Eagle's current rule provides for application of a minimum charge based on the Class 55 rate for 20,000 pounds for exclusive use of a unit of equipment with a lineal loading space of 28 feet or less and a minimum charge based on the Class 35 rate for 40,000 pounds for exclusive use of a unit of equipment with a lineal loading space over 28 feet. According to applicant, participation by Eagle in the other rule, as proposed, would permit the carrier to apply, when exclusive use of its equipment is required by the shipper, a minimum charge which varies

¹Eagle's participation would be canceled from Item No. 289 of WMTB Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15. Eagle's participation would be added to Item No. 298 in the same tariff.

according to the lineal feet of loading space in such equipment.²

Applicant states that the proposed minimum charges for exclusive use service would result in increases in instances where the larger equipment is used and reductions in instances where the smaller equipment is used. Applicant avers that such charges would be more closely related to the cost of providing the service.

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

The application was listed on the Commission's Daily Calendar of May 6, 1974. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that increases resulting from amendments to the exclusive-use-of-equipment rules as proposed in the application 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 Eagle Truck Lines, Inc., to cancel the carrier's participation in Item No. 289 of its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15, and to add said carrier as a participant in Item No. 298 of said tariff as specifically proposed in the application.

²The rule provides for application of one of eight minimum charges for this service on a particular shipment. These minimum charges are based on specific class rates for weights ranging from 7,000 pounds for 10 lineal feet of loading space in a unit of carrier's equipment to 40,000 pounds for over 48 lineal feet of loading space in a unit of carrier's equipment.

(SPT) A. 54848 - LTC

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.

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

Dated at San Francisco, California, this 23rd day of July, 1974.

Vernon L. Stinson
President
William J. Lyons
W. J. Lyons
W. J. Lyons
W. J. Lyons
Commissioners