

LTC

Decision No. 83167

ORIGINAL

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)
Jack Armas and Jean Armas, A)
Partnership, doing business as)
Mariposa Express, by virtue of)
Power of Attorney to said)
Pacific Coast Tariff Bureau,)
under Shortened Procedure Tariff)
Docket to cancel rates and)
charges in Local Freight Tariff)
No. 3 of Jack Armas and Jean)
Armas, A Partnership doing)
business as Mariposa Express,)
Cal.P.U.C. No. 3 (Series of)
Yosemite Park and Curry Co.) and)
concurrently amend Pacific Coast)
Tariff Bureau, Local Freight)
Tariff No. 23, Cal.P.U.C. 46,)
C. R. Nickerson, Agent, to)
establish rates from and to)
points presently named in said)
Cal.P.U.C. No. 3 series of)
Yosemite Park and Curry Co.)
-AND-)
For authority to depart from the)
terms of Section 454 and 491 of)
the Public Utilities Code when)
accomplishing proposed publica-)
tion.)

Shortened Procedure
Tariff Docket
Application No. 54867
(Filed May 10, 1974)

OPINION AND ORDER

By this application, Pacific Coast Tariff Bureau (PCTB) seeks authority, on behalf of Jack Armas and Jean Armas, a partnership, doing business as Mariposa Express (Mariposa), to cancel Mariposa's local rates for the transportation of general commodities between Merced and Yosemite Valley and intermediate points and concurrently publish revised rates for this transportation in one

of its bureau tariffs.¹

Applicant states that Mariposa operated as a highway common carrier of general commodities between Merced and Midpines and intermediate points and extended that authority by acquiring the operative right of Yosemite Park and Curry Company on January 10, 1972.² Applicant declares that the latter right authorized operations between Merced and Yosemite Valley and intermediate points with the restriction that no local service could be performed between Merced and Midpines and intermediate points.

Applicant alleges that Mariposa's rates between Merced and Midpines are on the minimum rate level and are higher than the rates between Merced and the more distant points beyond Midpines to and including Yosemite Valley. Applicant avers that the rates to the aforementioned more distant points were established on August 27, 1945, and were increased but once since that date on January 3, 1967.³ Applicant contends that the application of lower rates to the more distant points is wholly unreasonable and the revenue derived from these rates does not cover the cost of performing the service. Applicant states that rates based on the minimum rate level, as proposed, would enable Mariposa to operate from Merced to points beyond Midpines on a compensatory basis.

¹The present rates are set forth in Mariposa's Local Freight Tariff No. 3, Cal.P.U.C. No. 3 (Series of Yosemite Park and Curry Co.). Under the proposal, publication of the revised rates would be accomplished by amending PCTB Central California Local Freight Tariff No. 23, Cal.P.U.C. No. 46 of C. R. Nickerson, Agent.

²Decision No. 79401 dated November 23, 1971, in Application No. 52893.

³The predecessor carrier, Yosemite Park and Curry Company, was exempted from observing the minimum rates named in Minimum Rate Tariff No. 2 pursuant to Decision No. 40915.

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

The application was listed on the Commission's Daily Calendar of May 13, 1974. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that increases, which may result from the cancellation and publication of rates 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. Pacific Coast Tariff Bureau, on behalf of Jack Armas and Jean Armas, a partnership, doing business as Mariposa Express, is hereby authorized to have canceled Local Freight Tariff No. 3, Cal.P.U.C. No. 3 (Series of Yosemite Park and Curry Company), as specifically proposed in the application.

2. Pacific Coast Tariff Bureau, on behalf of Jack Armas and Jean Armas, a partnership, doing business as Mariposa Express, is hereby authorized to publish amendments to its Central California Local Freight Tariff 23, Cal.P.U.C. No. 46 of C. R. Nickerson, Agent, as specifically proposed in the application.

3. 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.

4. The effective date of the tariff publications authorized in Ordering Paragraph 1 hereof shall be concurrent with the effective date of the tariff publications authorized in Ordering Paragraph 2 hereof.

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5. The authority herein granted shall expire unless exercised within ninety days after the effective date hereof.

The effective date of this order shall be twenty days after the date hereof.

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

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