

LTC \*

Decision No. 83562

**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	)	Shortened Procedure
Big Pine Trucking Co., Inc. to	)	Tariff Docket
become a party in a rule	)	Application No. 55001
providing for exclusive use of	)	(Filed June 27, 1974)
carrier's equipment which	)	
results in increases over	)	
provisions presently applicable.	)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc. (WMTB), requests authority, on behalf of Big Pine Trucking Co., Inc. (Big Pine), to cancel from one of its tariffs Big Pine's participation in an exclusive-use-of-equipment rule and concurrently add Big Pine's participation in a similar rule in the same tariff.<sup>1</sup>

Big Pine'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 Big Pine in the other rule, as proposed, would permit the carrier to apply, when exclusive use of its equipment is required by the

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<sup>1</sup>Big Pine's participation would be cancelled from Item No. 289 of WMTB Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15. Big Pine's participation would be added to Item 297 in the same tariff.

shipper, a minimum charge which varies according to the lineal feet of loading space required in such equipment.<sup>2</sup>

Applicant states that participation by Big Pine in the rule, as proposed, would result in increased charges in instances where larger equipment is used and reduced charges in instances where 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 carrier's California intrastate gross revenue by as much as one percent.

The application was listed on the Commission's Daily Calendar of June 28, 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 to publish amendments, on behalf of Big Pine Trucking Co., Inc., in 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 five days 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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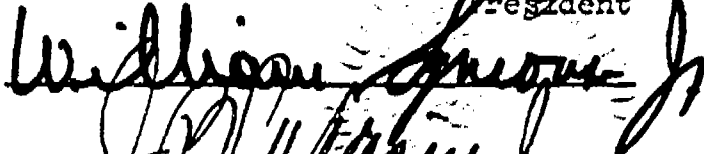
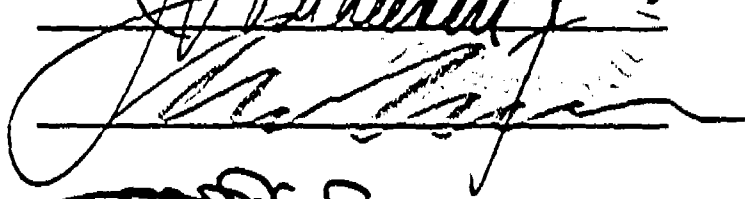

<sup>2</sup>The rule provides for application of one of ten minimum charges for this service on a particular shipment. These minimum charges are based on specific class rates for weights ranging from 2,000 pounds for less than 2 lineal feet of loading space in a unit of carrier's equipment to 45,000 pounds for over 50 but not over 54 lineal feet of loading space in a unit of carrier's equipment.

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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 8<sup>th</sup> day of October, 1974.

  
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President  
  
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Commissioners