

ORIGINAL

Decision No. 85780

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application 8319 of PACIFIC)	
SOUTHCOAST FREIGHT BUREAU,)	
Agent, under the Shortened Pro-)	Shortened Procedure
cedure Tariff Docket for)	Tariff Docket
authority to increase present)	Application No. 56153
class rates published in)	(Filed December 26, 1975)
Supplement 212 of PSFB Tariff)	
1016, as outlined herein.)	
)	
And Related Matter)	Case No. 5432
)	

OPINION AND ORDER

By this application, Pacific Southcoast Freight Bureau (PSFB), on behalf of the rail carriers participating in PSFB Freight Tariff 1016, seeks authority to provide for a six percent increase in the class rates in said tariff in lieu of the present five percent increase. Applicant also requests authority to depart from the terms of General Order 125 in publishing such adjustments.

Applicant states that class rates within Southern Territory were increased effective September 10, 1975, to six percent under Tariff of Increased Rates and Charges X-281-B and the class rate increase is now six percent to, from and within Eastern and Southern Territories. Applicant alleges that only traffic within Western Territory (including California) remains subject to a five percent increase and the proposed increase to six percent is necessary to restore important and long standing class rate relationships.

Applicant avers that increases resulting from the proposal herein would not increase the California intrastate gross revenue of any of the carriers involved herein by as much as one percent. Applicant declares that it does not know the increased dollar amount, which would result from the approval of this application, as the number of shipments moving at class rates is minimal.

Applicant asserts that the proposed rate adjustment was processed on the Public Docket under EC-WRTA Proposal 75-22 of September 30, 1975. The application was listed on the Commission's Daily Calendar of December 30, 1975. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that increases which will result from applicant's proposal are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. Pacific Southcoast Freight Bureau, on behalf of the carriers participating in its Freight Tariff 1016, is authorized to publish increased class rates and to depart from Rules 3.4 and 11.8 of General Order 125 as specifically proposed in the application.

2. Tariff publications authorized to be made as a result of the foregoing authority 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.

3. Common carriers maintaining, under outstanding authorizations permitting the alternative use of rail rates, rates below the specific minimum rate levels otherwise applicable are authorized and directed to increase such rates to the level of the rail rates established pursuant to the authority granted in paragraph 1 hereof or to the level of the otherwise applicable, specific minimum rates, whichever is lower. To the extent such common carriers have maintained such rates at differentials above previously existing rail rates, they are authorized to increase such rates by the authority granted in paragraph 1 hereof, provided, however, that such increased rates may not be lower than the rates established by the rail lines pursuant to the authority granted in paragraph 1 hereof, nor higher than the otherwise applicable minimum rates.

4. Common carriers maintaining, under outstanding authorizations permitting the alternative use of rail rates, rates based on rail rates which have been changed or cancelled and which are below the specific minimum rate levels otherwise applicable are hereby directed to increase such rates to applicable minimum rate levels and to abstain from publishing or maintaining in their tariffs rates, charges, rules and accessorial charges lower in volume or effect than those established in rail tariffs or the applicable minimum rates, whichever are lower.

5. Tariff publications required or authorized to be made by common carriers as a result of paragraph 3 hereof may be made effective not earlier than the fifth day after the publication by applicant made pursuant to the authority granted in paragraph 1 hereof, on not less than five days' notice to the Commission and to the public; and such tariff publications as are required shall be made effective not later than thirty days after the effective date of the tariff publications made by applicant pursuant to the authority granted in said paragraph 1.

6. Tariff publications required to be made by common carriers, as a result of paragraph 4 hereof, shall be filed not earlier than the effective date of this order on not less than five days' notice to the Commission and to the public and shall be made effective not later than thirty days after the effective date of this order.

7. Applicant and common carriers, in establishing and maintaining the rates authorized hereinabove, are authorized to depart from the provisions of Section 461.5 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

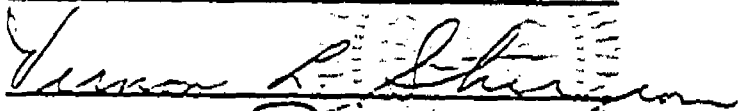
8. The authority herein granted shall expire unless exercised within one hundred twenty days after the effective date of this order.


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

Dated at San Francisco, California, this 12 day of May, 1976.



President







Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.