

**ORIGINAL**

Decision 84 02 021 FEB 1 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff)	
Bureau, Inc., under the Shortened )	
Procedure Tariff Docket to publish )	Shortened Procedure
for and on behalf of System 99, )	Tariff Docket
provisions resulting in increases )	Application 83-10-33
because of their cancellation from )	(Filed October 21, 1983)
certain Bureau tariffs. )	

O P I N I O N

Western Motor Tariff Bureau, Inc. (WMTB), Agent, seeks authority for System 99 (System), a highway common carrier under Section 1063 of the Public Utilities (PU) Code, to cancel the participation of System in the following WMTB tariffs:

Local Freight and Express Tariff No. 106, CAL. P.U.C. No. 111/  
Local Freight and Express Tariff No. 127, CAL. P.U.C. 392/

and amend Page 58, of Tariff 171-B, CA PUC 104, (Participating Carriers), to reflect these changes.

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- 1/ Tariff 106 contains class and commodity rates for the transportation of property within or between Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont.
  - 2/ Tariff 127 names rates, for the transportation of fresh fruits, fresh vegetables and empty containers, statewide.

WMTB asserts that System has analyzed various phases of its operations and has concluded that little or no traffic is moving under the rates in Tariffs 106 and 127. Upon System's cancellation from these tariffs, the provisions of Tariffs 170 and 570-A would apply.

Certain increases and reductions would result from the cancellations of these tariffs. The proposal would result in increasing applicant's California intrastate gross revenue by less than one percent.

The proposal is not a major action significantly affecting energy efficiency within the meaning of Sections 3502.1 and 3502.2 of the PU Code.

The application was listed on the Commission's Daily Calendar of October 24, 1983. No objection to the granting of the application has been received.

Findings of Fact

1. The increases resulting from this proposal are justified.
2. The following order has no reasonably foreseeable impact on the energy efficiency of highway carriers.
3. The proposal will result in increasing applicant's California intrastate gross revenue by less than one percent.
4. Authority to depart from the provisions of PU Code, Section 461.5 is justified.
5. A public hearing is not necessary.

Conclusion of Law

The application should be granted.

O R D E R

IT IS ORDERED that:

1. System 99 is authorized to cancel and amend its participation in certain tariffs issued by Western Motor Tariff Bureau, Inc., Agent, as proposed in the body of the opinion.
2. Tariff publications authorized to be made as a result of this order shall be filed on or after the effective date of this order and may be made effective not earlier than 5 days after the effective date of this order on not less than 5 days' notice to the Commission and to the public.
3. System 99, in establishing and maintaining the rates authorized by this order, is authorized to depart from the provisions of PU Code Section 461.5 to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are 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.

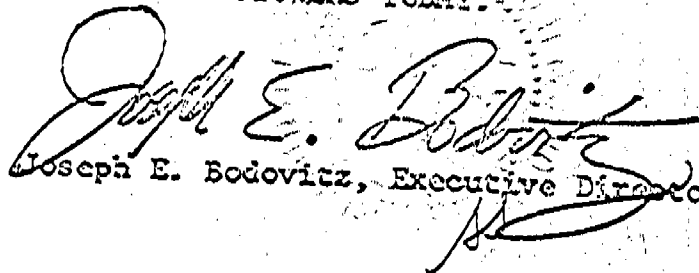
This order becomes effective 30 days from today.

Dated FEB 1 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President

VICTOR CALVO  
PRISCILLA C. CREW  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.

  
Joseph E. Bodovitz, Executive Director