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MAR 21 1984

Decision \_\_\_\_\_

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Western Motor Tariff Bureau, Inc. )  
 seeking authority to publish tariff )  
 provisions resulting in increases )  
 because of proposed transfer of )  
 Wescartage Company, Inc. to Western )  
 Motor Tariff Bureau, Inc. from )  
 Commission Transition Tariffs. )

Application 83-10-50  
(Filed October 31, 1983)

O P I N I O N

Western Motor Tariff Bureau, Inc., Agent (WMTB), on behalf of Wescartage Company, Inc. (Wescartage), a wholly-owned subsidiary of Transway International, Inc. (Transway), requests authority to cancel Wescartage's adoption notice of the Commission transition tariffs and to transfer its participation to the following tariffs issued by WMTB:

- Scope of Operations Tariff 175, CA PUC 103;
- Participating Carrier Tariff 171-B, CA PUC 104;
- Rules Tariff 170, CA PUC 51;
- Class Rate Tariff 570-A, CA PUC 85;
- Exception Sheet 1-B, CA PUC 34; and
- Local Freight Tariff 113, CA PUC 19.

WMTB advises that Wescartage is the surviving company in a merger with Transport Cartage and Distributing Company (Transport), a wholly-owned subsidiary of Transway. Transport has been a party to WMTB tariffs for over 20 years and was granted authority to establish rates and charges at levels approximately 23% above transition levels. Wescartage desires to participate in

the same WMTB tariffs and requests authority to increase its rates and charges to the same level of rates previously granted to Transport by Decisions 92256, 92829, 93805, and Resolution TS-545 and published by WMTB.

WMTB avers that for the first three quarters of 1983 Wescartage had total revenue of \$8,739, expenses of \$8,559 for an operating ratio of 97.9.

The proposal is not considered to be a major action significantly affecting energy efficiency within the meaning of Public Utilities (PU) Code Sections 3502.1 and 3502.2.

The application was listed on the Commission's Daily Calendar of November 1, 1983. No objection to the granting of the application has been received.

#### Findings of Fact

1. The proposed increase in applicant's rates and charges has been shown to be justified.
2. Limited authority to depart from the provisions of PU Code Section 461.5 is justified.
3. The following order has no reasonably foreseeable impact upon the energy efficiency of highway common carriers.
4. A public hearing is not necessary.

#### Conclusion of Law

The application should be granted.

O R D E R

IT IS ORDERED that:

1. Wescartage Company, Inc. is authorized to cancel its adoption of Commission transition tariffs and concurrently to participate in tariffs issued by Western Motor Tariff Bureau, Inc., Agent, at the level of rates granted by Decisions 92256, 92829, 93805, and Resolution TS-545.

2. Tariff publications authorized to be made as a result of this order shall be filed not earlier than 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. Wescartage Company, Inc. 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.

4. The cancellation of applicant's adoption notice to the Commission transition tariffs shall be concurrent with the effective date of the authorized participation in Western Motor Tariff Bureau, Inc. tariff publications.

This order becomes effective 30 days from today.

Dated MAR 21 1984, at San Francisco, California.

LEONARD M. CRIMES, JR.  
President

VICTOR CALVO

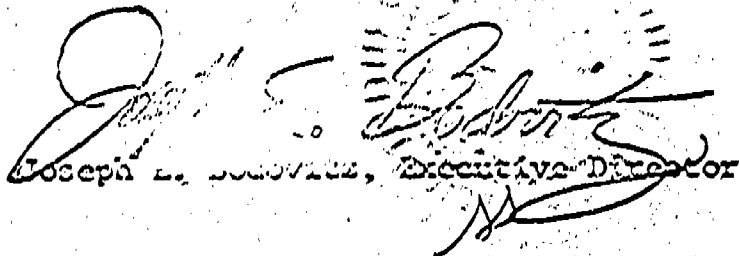
PRISCILLA C. GREW

DONALD VIAL

WILLIAM T. BAGLEY

Commissioners

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS AS FOLLOWS:

  
Joseph L. Scoville, Executive Director