

ORIGINAL

Decision 84 04 064

APR 18 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of Superior Express,)
 Superior Fast Drayage d/b/a, A)
 California Corporation, requesting)
 an order to publish tariff provi-)
 sions resulting in increases and)
 reductions due to proposed transfer)
 of Applicant's rates to Cal-West)
 Tariff Bureau, Inc.)
 and)
 For authority to depart from the)
 provisions of Sections 452, 454,)
 461.5 and 491 of the Public)
 Utilities Code when accomplishing)
 such publications.)

Shortened Procedure
 Tariff Docket
 Application 84-02-15
 (Filed February 6, 1984)

O P I N I O N

Superior Express (Superior), doing business as Superior Fast Drayage requests authority to cancel its participation in tariffs issued by Western Motor Tariff Bureau Inc. (WMTB), and to concurrently establish its participation in tariffs issued by Cal-West Tariff Bureau, Inc. (CWTB).

Superior presently participates in the following tariffs issued by WMTB:

- Exception Sheet No. 1-B, Cal. PUC 34.
- Vehicle Unit Rates Tariff No. 113, Cal. PUC 19.
- Fresh Fruits, Fresh Vegetables and Empty Containers Tariff No. 127, Cal. PUC 39.
- Governing Rules Tariff No. 170, Cal. PUC 51.
- Scope of Operations Tariff No. 175, Cal. PUC 103.
- Uncrated New Furniture Tariff WMT 271, Cal. PUC 46.
- Class Rates Tariff WMT 570-A, Cal. PUC 85.

Superior seeks authority to be made a party to the following tariffs issued by CWTB:

Vehicle Unit Rates Tariff No. 100,
Cal. P.U.C. No. 1
Scope of Operations Tariff No. 200,
Cal. P.U.C. No. 2
Governing Rules Tariff No. 300,
Cal. P.U.C. No. 3
Agricultural Commodities and Related Articles
Tariff No. 16, Cal. P.U.C. No. 16
Uncrated New Furniture Tariff No. 17,
Cal. P.U.C. No. 17
Fresh Fruits, Fresh Vegetables and Empty Containers
Tariff No. 19, Cal. P.U.C. No. 19
General Commodity Rate Tariff No. 21,
Cal. P.U.C. No. 21
Class and Exception Ratings Tariff No. 22,
Cal. P.U.C. No. 22
Class Rate and Minimum Charge Tariff No. 26,
Cal. P.U.C. No. 26
Conversion Tariff 600-A,
Cal. P.U.C. No 27.

Superior has determined that it would be better served, for various reasons, by participation in CWTB, tariffs.

According to Superior, certain increases and decreases will result in the transfer because of differences in rules between tariffs, but in no case would Superior's gross intrastate revenue increase by more than one percent (1%).

Superior's present level of rates and charges in WMTB tariffs are approximately 21% above transition tariff level. Upon transfer to CWTB tariffs its rates and charges will be 16% above transition level, or about 5% below its current authorized rate levels.

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

The application was listed on the Commission's Daily Calendar of February 10, 1984. No objection to the granting of the application has been received.

Findings of Fact

1. The increases resulting from this proposal are technical in nature and justified.
2. The proposal will result in increasing applicant's California intrastate gross revenue by less than one percent.
3. The following order has no reasonably foreseeable impact on the energy efficiency of highway carriers.
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. Superior Express is authorized to cancel its participation in tariffs issued by Western Motor Tariff Bureau, Inc. and concurrently establish its participation in tariffs of Cal-West Tariff Bureau, Inc. as listed in the opinion.

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. Superior Express, 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 participation in Western Motor Tariff Bureau, Inc. tariffs shall be concurrent with the effective date of applicant's participation in the Cal-West Tariff Bureau, Inc. tariffs.

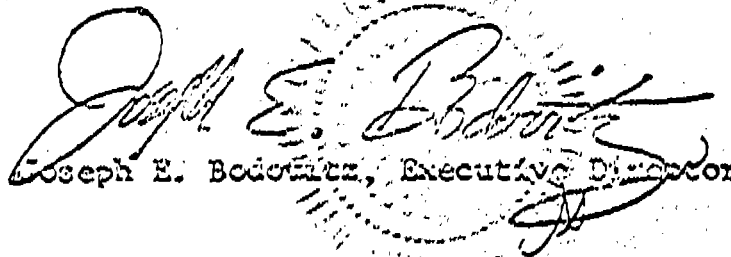
This order becomes effective 30 days from today.

Dated APR 18 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
FRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodowitz, Executive Director