

Decision 84 06 040

JUN 6 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor )  
 Tariff Bureau, Inc., under )  
 Shortened Procedure Tariff Docket )  
 for and on behalf of Wells Cargo, )  
 Inc. to amend Bureau Tariff 175 )  
 which results in increases. )

Shortened Procedure  
 Tariff Docket  
 Application 84-03-29  
 (Filed March 7, 1984)

O P I N I O N

Western Motor Tariff Bureau, Inc., Agent, (WMTB), for Wells Cargo, Inc. (WELLS), seeks authority to cancel WELLS adoption notice to Commission's tariffs for its Public Utilities (PU) Code Section 1063.5 operating authority. This will be accompanied by amendments to Scope of Operations Tariff (Tariff) WMT-175, reissuing Item 9975 and adding the provisions of Item 500 which contains the description of operating rights for PU Code Section 1063.5 carriers.

WELLS states that the purpose of this application is to have the rates in WMTB tariffs apply on traffic moving under its PU Code Section 1063.5 authority.

As evidenced by Item 9975, WELLS's PU Code Section 1063 territorial operating authority is quite extensive and most of the traffic it handles is within that territory. Occasionally, however, shipments move to, from or between points which are not covered by that authority. When this happens carrier's PU Code Section 1063.5 authority is applicable and the rates in the Commission's transition tariff must be used. Since transition tariff rates are on a lower level than the carrier's WMTB rates, lower rates are applicable to seldom-served, off-route points than to the points normally served by the carrier on a day-to-day basis. WELLS desires to have all of its intrastate rates on the same level.

WELLS estimates that in the event this application is granted it would increase its annual revenue by approximately \$400. In no event would the proposed publication increase its California intrastate gross revenue by as much as one percent.

WELLS will cancel its Adoption Notice to Commission tariffs concurrent with publication of the new page.

WELLS states that the proposal is not considered to be 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 Transportation Calendar of March 13, 1984. No objection to the granting of the application has been received.

Findings of Fact

1. Most of WELLS traffic moves under its PU Code Section 1063 operating authority as described in Tariff WMT-175.
2. WELL's common carrier tariffs for its PU Code Section 1063 operating authority as published by WMTB are at higher levels than the Commission's transition tariffs.
3. WELLS adopted Commission tariffs for its PU Code Section 1063.5 operating authority.
4. Rates are lower to seldom-served, off-route points when using adopted Commission tariffs.
5. The increases resulting from this proposal are justified.
6. The proposal will result in increasing applicant's California intrastate gross revenue by less than one percent.
7. The following order has no reasonably foreseeable impact on the energy efficiency of highway carriers.
8. Authority to depart from the provisions of PU Code Section 461.5 is justified.
9. A public hearing is not necessary.

Conclusion of Law

The application should be granted.

O R D E R

IT IS ORDERED that:

1. Western Motor Tariff Bureau, for Wells Cargo, Inc., is authorized to add provisions of Item 500 to Item 9975 of Tariff WMT-175.

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. The cancellation of Wells Cargo, Inc. adoption of Commission tariffs shall be concurrent with the effective date of reissued Item 9975 of Tariff WMT-175.

4. Wells Cargo, 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.

5. The application is granted as set forth above.

This order becomes effective 30 days from today.

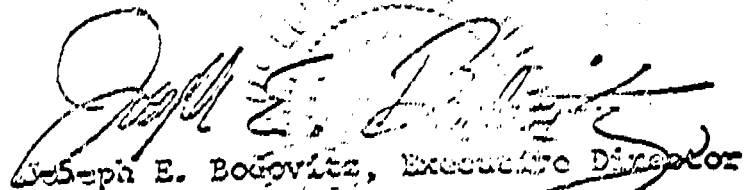
Dated JUN 6 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President

VICTOR CALVO  
DONALD VIAN  
WILLIAM T. BAGLEY  
Commissioners

Commissioner Priscilla C. Grow,  
being necessarily absent, did  
not participate

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

  
Joseph E. Bogovits, Executive Director