

T/APH/AFM/WPSC

Decision 84 07 129 JUL 18 1984

ORIGINAL
STATE OF CALIFORNIA

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE

Pursuant to the matter of Roy)
Miller Freight Lines, Inc., a)
California Corporation, seeking)
authority to publish tariff pro-)
visions that will result in in-)
creases due to proposed transfer)
of Applicant's rates to Cal-West)
Tariff Bureau, Inc., Agent, from)
rates as published in the Cal.)
P.U.C. Transition Tariffs.)

Shortened Procedure
Tariff Docket
Application 84-04-015
(Filed April 2, 1984;
amended May 25, 1984)

and)

For authority to depart from the)
terms of Sections 454, 461.5 and)
491 of the Public Utilities Code)
when accomplishing such)
publications.)

O P I N I O N

By this application, Roy Miller Freight Lines, Inc. (Miller) seeks authority to cancel its adoption of Commission tariffs, and to participate in tariffs of Cal-West Tariff Bureau, Inc., Agent (CWTB).

This application is for Miller's Public Utilities (PU) Code Section 1063.5 authority only. Miller was granted authority in Decision 84-01-051 to participate in CWTB tariffs for its PU Code Section 1063 authority.

Miller believes that it will be advantageous to have all of its tariffs subject to the provisions of CWTB. This uniformity will eliminate repetitious and duplicative filings and burdensome record keeping for both the Commission and for Miller. Miller desires to maintain its rates at the level of the Commission's tariffs.

Due to inherent differences between tariffs issued by the Commission and tariffs issued by Cal-West, technical increases would result in the proposed transfer, but the tariff charges would increase its California intrastate gross revenue by less than one percent.

Miller has advised that the transfer 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 and amendment were listed on the Commission's Daily Transportation Calendars of April 5, and May 31, 1984. No objection to the application has been received.

Findings of Fact

1. The increases resulting from this proposal are justified.

2. The proposal will result in increasing Miller's California intrastate gross revenue by less than 1%.
3. The following order has no reasonably foreseeable impact on the energy efficiency of highway carriers.
4. Limited 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, as amended, should be granted.

O R D E R

IT IS ORDERED that:

1. Roy Miller Freight Lines, Inc. is authorized to cancel its adoption of Commission tariffs, and to participate in tariffs issued by Cal-West Tariff Bureau, Inc., Agent for its PU Code Section 1063.5 authority.
2. This order does not authorize applicant to adopt rates in tariffs of Cal-West Tariff Bureau, Inc., Agent, that are above the levels it is authorized to charge in the adopted Commission tariffs. Applicant may, however, adopt the rules and charges for accessorial services and general tariff application published in tariffs of Cal-West Tariff Bureau, Inc., Agent.

3. 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.

4. Roy Miller Freight Lines, 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 cancellation of applicant's adoption notice to Commission tariffs shall be concurrent with the effective date of the authorized participation in the tariffs issued by Cal-West Tariff Bureau, Inc., Agent.

6. The application, as amended, is granted as set forth above.

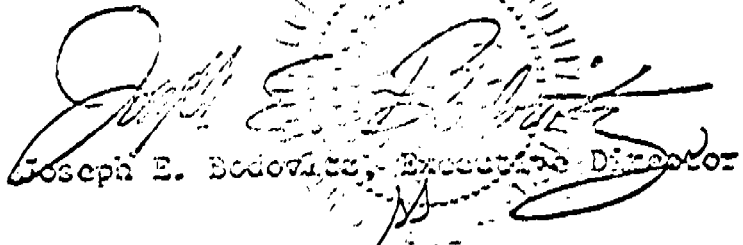
This order becomes effective 30 days from today.

Dated JUL 18 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

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

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


Joseph E. Bedovick, Executive Director