

ORIGINAL

Decision 84 C9 035

SEP 6 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of:)

Statewide Delivery, Cal T-101547)
for permission to publish in its)
local tariffs provisions for)
exclusive use of vehicle equip-)
ment pursuant to Sections 486)
thru 495 of the Public Utilities)
Code.)

Application 84-06-072
(Filed June 22, 1984)

O P I N I O N

By this application Fred R. Covington, Consultant, on behalf of Statewide Delivery (Statewide), a highway common carrier, requests authority to publish a new rule "Control and Exclusive Use of Equipment"^{1/} in Statewide's individual tariffs SDWO 210 (Local Class and Commodity Rates between all points in California), Cal. P.U.C. 1, and SWDO 220 (San Diego Drayage Area), Cal. P.U.C. 2.

According to Statewide's consultant, the new item would consist of a minimum charge per shipment equal to the rate for Class 55, minimum weight 21,000 pounds, when the shipper requests exclusive use of carrier's equipment, or when the nature of a commodity shipped requires the full utilization of carrier's equipment.

^{1/} The new rule is shown as Exhibit "A" attached to the application.

Covington advises that Statewide's current tariffs do not provide for a minimum charge for the exclusive use of equipment, or for transportating extremely low density materials, such as synthetic granules that are light in weight but often require full use of the carrier's equipment. Applicant asserts that its proposal is similar to the provisions published by competing carriers in Item 470 series of Western Motor Tariff Bureau, Inc., Agent's Tariff 170, Cal. P.U.C. 51.

Covington avers that the proposal, if granted, will have little, if any, direct effect on Statewide's revenue. In any event such publication will not increase Statewide's revenue by as much as 1%.

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 Transportation Calendar of June 27, 1984. No protest to 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. Limited authority to depart from the provisions of PU Code Section 461.5 is justified.

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. Statewide Delivery is authorized to publish in its tariffs SWDO 210, Cal. P.U.C. 1 and SWDO 220, Cal. P.U.C. 2 a new rule, "Control and Exclusive Use of Equipment," as set forth in Exhibit A of the application.

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. Statewide Delivery, 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;

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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.

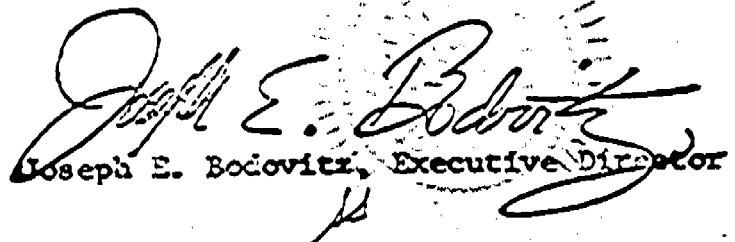
4. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated SEP 6 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 APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director