

Decision 84 10 013 OCT 3 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of R. S. Greitz, on)
behalf of Jess A. Zimmerman for)
authority to cancel the carrier's)
adoption of tariffs issued by the)
California Public Utilities)
Commission and for Jess A.)
Zimmerman to adopt and establish)
as its own, rates and rules of)
Pacific Motor Tariff Bureau, Inc.)
tariffs.)

Shortened Procedure
Tariff Docket
Application 84-07-081
(Filed July 26, 1984)

-And-

For authority to depart from the)
terms of Section 454, 460 and 491)
of the Public Utilities Code when)
accomplishing such publication.)

O P I N I O N

By this application, R. S. Greitz, Tariff Issuing Officer
of Pacific Motor Tariff Bureau, Inc., Agent (PMTB), on behalf of
Jess A. Zimmerman (Zimmerman), requests authority to cancel
Zimmerman's adoption of the Commission's transition tariffs and,
concurrently with the proposed cancellation, have Zimmerman parti-
cipate in the following tariffs of PMTB:

- Exception Sheet 100, Cal. P.U.C. 4;
- Rules Tariff 125, Cal. P.U.C. 2;
- Participating Carrier and Scope Tariff 150,
Cal. P.U.C. 4;
- Class Rate Tariff 550, Cal. P.U.C. 1, and
Commodity Rate Tariff 250, Cal. P.U.C. 3.

Zimmerman has determined that it is in his best interest to participate in the tariffs issued by PMTB. Zimmerman will maintain his rates in PMTB tariffs at the Commission's transition tariff level. Due to inherent differences in wording and application of various rules governing PMTB tariffs as compared to the Commission's transition tariffs, certain technical increases and decreases would result. Applicant believes the proposal will result in increasing his California intrastate gross revenue by less than one percent.

Applicant affirms 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 was listed on the Commission's Daily Transportation Calendar of July 26, 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 Zimmerman'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. 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 should be granted.

O R D E R

IT IS ORDERED that:

1. Jess A. Zimmerman is authorized to cancel his adoption of the Commission's transition tariffs and concurrently to participate in tariffs issued by Pacific Motor Tariff Bureau, Inc., Agent, as discussed in this opinion.

2. This order does not authorize applicant to adopt rates in Pacific Motor Tariff Bureau, Inc. that are above the levels he is authorized to charge in the Commission's transition tariffs. Applicant may, however, adopt the rules for accessorial services and general tariff application published in tariffs of Pacific Motor Tariff Bureau, Inc.

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. Jess A. Zimmerman, 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 the adoption of the Commission's transition tariffs by applicant shall be concurrent with the effective date of the authorized participation in the tariffs issued by Pacific Motor Tariff Bureau, Inc., Agent.

6. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated OCT 3 1984, at San Francisco, California.

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