

Decision 84 11 038 NOV 21 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of R.S. Greitz, Tariff )  
 Issuing Officer of Pacific Motor )  
 Tariff Bureau, Inc. on behalf of )  
 Con-Way Western Express, Inc., )  
 authorizing an increase in charges )  
 in Pacific Motor Tariff Bureau, )  
 Inc., Tariff 125, and Con-Way )  
 Western Express Tariff 200 )  
 containing provisions of this )  
 common carrier for the )  
 transportation of commodities )  
 and the performance of specified )  
 services relating to minimum )  
 charges, exclusive use of )  
 equipment, full utilization of )  
 equipment, excessive value and )  
 other similar services related )  
 thereto. )

Application 84-07-071  
(Filed July 24, 1984)

-and-

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

O P I N I O N

By this filing Con-Way Western Express, Inc. (Conway),  
 seeks authority to increase its rates in Pacific Motor Tariff  
 Bureau, Inc., Agent, (PMTB), Tariff No. 125, Cal. P.U.C. No. 2  
 and Con-Way Western Express, Inc. Tariff No. 200, Cal. P.U.C.  
 No. 10.

The specific item changes are as follows:

1. Amend the minimum charge rule in PMTB Tariff No. 125 and Con-Way Tariff 200 to indicate that the lowest minimum charge shall be the charge applicable to a shipment weighing over 200 pounds.
2. Amend the charges applicable to shipments transported wholly within Metropolitan Zones 201 and 262 to indicate those charges will not apply via Con-Way, and in lieu thereof the statewide any quantity class rates and minimum charges shall apply for the account of Con-Way.
3. Amend the charges applicable to small shipments service, Item 264 of PMTB Tariff 125. Amendment will indicate that service will not apply via Con-Way. In lieu thereof, Con-Way will apply its regular minimum charges.
4. Amend PMTB Tariff 125, Item 160 (Exclusive Use/ Full Utilization of Equipment) to indicate Item 160 will not apply via Con-Way and in lieu thereof, publish two new items pertaining to these services, which are based upon the configuration of equipment operated by Con-Way.
5. Publish a new rule in PMTB Tariff 125, which reduces Con-Way's liability when carrier is tendered shipments which are extraordinary in value.

Applicant alleges that the present charges for Minimum Charges, Metropolitan Los Angeles Area Rates, Small Shipment Services, Exclusive Use/Full Utilization of Equipment and Excessive Value shipments do not yield sufficient revenue.

Con-Way was granted a general rate increase of 23% by Decision (D.) 84-07-32 on July 5, 1984. At the staff's request, Con-Way has supplied the revenue impact of its authorized but unexercised increase authorities. The potential of these unexercised increase authorities was analyzed by the staff, as shown in the following table:

	<u>Test Three-Month Period Ending</u> <u>June 30, 1984</u>	
Revenue	\$3,699,800	\$3,699,800
Unapplied increases		140,383
Proposed increase		<u>221,379</u>
		4,061,562
Expenses Revised to		
Reflect Current Costs	4,241,048	4,241,048
Profit (Loss)	(541,248)	(179,486)
Operating Ratio	114.63%	104.42%

The application was listed on the Commission's Daily Transportation Calendar of July 27, 1984. No protest to the granting of the application has been received.

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

Findings of Fact

1. The increases resulting from this proposal, as specifically stated in this opinion, 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. Con-Way Western Express, Ltd., is authorized to increase its rates and charges in Pacific Motor Tariff Bureau, Inc., Agent, Tariff No. 125, Cal. P.U.C. No. 2 and Con-Way Western Express, Inc., Tariff No. 200, Cal. P.U.C. No. 10, as specifically stated in the body of this opinion.

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. Con-Way Western Express, 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.

4. The application is granted as set forth above.

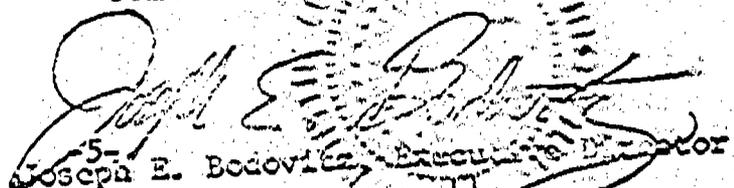
This order is effective 30 days from today.

Dated NOV 21 1984, at San Francisco, California.

FRISCILLA C. GREW  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

Commissioner Victor Calvo,  
being necessarily absent, did  
not participate

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

  
5- Joseph E. Bodovick, Executive Director