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Decision SS 37 007 JUL 8 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
Western Motor Tariff Bureau, Inc., for)
and on behalf of Union Terminal Ware-)
house, Inc., a departure pursuant to)
Rule 2 of General Order No. 147-A to)
publish provisions resulting in)
increases and/or decreases because of)
proposed participation in Tariff WMT)
113.)

Application 88-04-052
(Filed April 18, 1988)

and)
For authority to depart from the pro-)
visions of Sections 452, 454 and 491)
of the the Public Utilities Code when)
accomplishing such publication.)

O P I N I O N

Western Motor Tariff Bureau, Inc. (WMT), on behalf of Union Terminal Warehouse, Inc. (Union), seeks authority for Union to establish its participation at the lowest level of generally applicable common carrier rates in WMT Local Freight Tariff 113, CA PUC 19, which provides vehicle unit rates and to be added to the Participating Carrier Tariff WMT 171-C, CA PUC 148.

WMT states that recent business solicitations have uncovered various shippers in need of a carrier who can transport their freight at vehicle unit rates.

By establishing these rates, Union will be able to provide a new service to those shippers who desire to have their shipments delivered under vehicle unit rates.

WMT states that the addition of vehicle unit rates will most likely result in both increases and decreases in Union's revenue, depending on the rates used (hourly, weekly, monthly and yearly), the number of shipments transported, and the amount of time required to deliver shipment(s). WMT further states that it would be impossible to determine whether an increase or decrease in revenue occurred until after a specific shipment has been transported.

WMT asserts that the proposal is a minor, technical change not adverse to the interests of other parties, non-controversial, and not of general interest due to the fact that many carriers already offer vehicle unit rates.

The application was listed on the Commission's Daily Transportation Calendar of April 22, 1988. No protest to the granting of the application has been received. The application was not filed under authority granted pursuant to Section 496 of the Public Utilities (PU) Code.

Findings of Fact

1. Union will be able to serve those shippers requiring vehicle unit rates by participating in WMT Local Freight Tariff 113, CA PUC 19.

2. The proposal will result in both increases and decreases in Union's revenue depending on the vehicle unit rates used, the number of shipments transported, and the amount of time required for the transportation.

3. A public hearing is not necessary.

Conclusion of Law

The application should be granted.

O R D E R

IT IS ORDERED that:

1. Union Terminal Warehouse, Inc. is authorized to participate at the lowest level of generally applicable common carrier rates in Western Motor Tariff Bureau, Inc., Agent, Local Freight Tariff 113, CA PUC 19, and to be added to the Participating Carrier Tariff WMT 171-C, CA PUC 148.

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. Union Terminal Warehouse, 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. This authority shall expire if not exercised within 60 days of the effective date of this order.

5. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated JUL 8 1988, at San Francisco, California.

STANLEY W. HULETT
President

DONALD VIAL
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

Commissioner Frederick R. Duda
being necessarily absent, did not
participate.

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

Victor Weiss

Victor Weiss, Executive Director