

Decision 89 04 011

APR 12 1989

**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 Devincenzi )  
 Trucking, 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 publication of hourly )  
 rates in Tariff 113, )  
   ) and )  
 for authority to depart from pro- )  
 visions of Sections 452, 454 and 491 )  
 of the Public Utilities Code when )  
 accomplishing such publication. )

Application 89-01-022  
(Filed January 17, 1989)

O P I N I O N

Western Motor Tariff Bureau, Inc. (WMT), on behalf of Devincenzi Trucking, Inc. (Devincenzi), seeks authority for Devincenzi to publish hourly rates in WMT Local Freight Tariff 113, CA PUC 19, which provides vehicle unit rates.

Recent business solicitations by Devincenzi have uncovered various shippers in need of a carrier who can transport their freight at hourly vehicle unit rates.

With the publication of the rates, Devincenzi would be able to provide a new service to those shippers.

WMT states that the addition of hourly vehicle unit rates will most likely result in both increases and decreases in Devincenzi's revenue, depending on the commodities contained in the shipment(s), the weight of the shipment(s), the number of shipments transported and the amount of time required to deliver the shipment(s). WMT further states that it would be impossible to cost justify the addition of hourly vehicle unit rates since a specific shipment would have to be transported before it could be determined that in fact a decrease in revenue has occurred.

Applicant considers this to be a minor, technical change not adverse to the interests of other parties, noncontroversial, and not of general interest because many carriers already offer hourly vehicle unit rates.

The application was listed on the Commission's Daily Transportation Calendar of January 25, 1989. 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 Code.

Findings of Fact

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

2. The proposal will result in both increases and decreases in revenue, depending on the commodities contained in the shipment(s), the weight of the shipment(s), the number of shipments transported and the amount of time required to deliver the shipment(s).

3. A public hearing is not necessary.

Conclusion of Law

The application should be granted.

ORDER

IT IS ORDERED that:

1. Devincenzi Trucking, Inc. is authorized to publish hourly vehicle unit rates in Western Motor Tariff Bureau, Inc., Agent, Local Freight Tariff 113, CA PUC 19.

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. Devincenzi Trucking, Inc., in establishing and maintaining the rates authorized by this order, is authorized to depart from the provisions of Public Utilities 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 will expire if not exercised within 60 days of the effective date of this order.

5. The application is granted as set forth above.

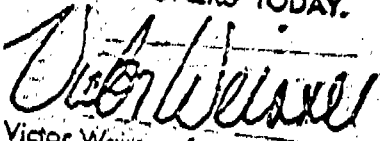
This order becomes effective 30 days from today.

Dated APR 12 1989, at San Francisco, California.

G. MITCHELL WILK  
President  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
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, Executive Director  
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