

T/KM

Decision 89 09 039 SEP 7 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 Bay Area)
Contract Transportation Services,)
Inc., dba CONTRACT TRANSPORTATION)
SERVICES, 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 89-05-069
(Filed May 19, 1989)

OPINION

Western Motor Tariff Bureau, Inc. (WMT), on behalf of Bay Area Contract Transportation Services, Inc., doing business as Contract Transportation Services (Contract), seeks authority for Contract to publish hourly vehicle unit rates in WMT Local Freight Tariff 113, CA PUC 19.

WMT states that recent business solicitations by Contract have uncovered various shippers in need of a carrier who can transport their freight at hourly vehicle unit rates. Contract will be able to provide a new service to those shippers by participating in WMT Local Freight Tariff 113.

WMT asserts that the addition of the hourly vehicle unit rates would most likely result in both increases and decreases in Contract'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 shipment(s). Therefore, it would be impossible for the carrier to cost justify

those rates.

Applicant considers this proposal 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 June 7, 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, Contract 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).

Conclusions of Law

1. The application should be granted.
2. A public hearing is not necessary.

ORDER

IT IS ORDERED that:

1. Bay Area Contract Transportation Services, 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. Bay Area Contract Transportation Services, 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 SEP 7 1989, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

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

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Wesley Franklin
WESLEY FRANKLIN, Acting Executive Director
DB

D-89-09-039

DECISION NO _____

CASE NO _____

A-89-05-069

APP. NO _____