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Decision 91-05-005 May 8, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Truckload Motor Tariff Bureau, Inc.)
 for authority to allow member)
 carriers to participate, publish and)
 place on file with the Public)
 Utilities Commission CA. P.U.C. No. 4)
 (Distance Table 2) and collectively)
 set rates under Code Section 496 as)
 authorized by Decision 90-05-022,)
 issued by the Public Utilities)
 Commission and to implement)
 therewith rate changes pursuant to)
 Sections 452 and 454 of the)
 California Public Utilities)
 Commission.)

ORIGINAL

Application 91-01-026
 (Filed January 24, 1991)

O P I N I O N

Applicants, Truckload Motor Tariff Bureau, Inc. (Bureau) and the highway common carriers of the Bureau, seek authority under Public Utilities (PU) Code §§ 452 and 454 to implement rate reductions and increases through publishing and implementing Truckload Motor Tariff Bureau, Inc. CA. P.U.C. No. 4, Distance Table 2 (Distance Table 2), and to collectively set rates under PU Code § 496. Applicants seek authority to depart from General Order (GO) 147-B, and from PU Code §§ 452, 454, 461.5 and 491 to the extent necessary.

Bureau is a California non-profit corporation. By Decision (D.) 90-05-022 dated May 24, 1990 in Application 90-02-005, the Bureau with its members was authorized, under PU Code § 496, and GO 154, to collectively consider, initiate, and establish rates, rules, and regulations of common carriers.

Bureau requests authority to publish and implement Truckload Motor Tariff Bureau, Inc. CA. P.U.C. No. 4, Distance

Table 2 in lieu of the Commission's Distance Table 8. Distance Table 8 determines distances by using addresses to determine the applicable Metropolitan Zones.

Distance Table 2 determines mileage based on zip codes as follows.

- The lower of the zip codes of origin or destination is located at the top of the page (headline).
- The higher zip code is then located at the left margin (sideline).
- The applicable mileage is found at the intersection of the headline and sideline columns.

Large zip code areas are subdivided by suffixes a, b, c, etc. In the event no zip code has been assigned to a point, the mileage is determined by locating a point near but not beyond the unnamed point, and adding 1.3 miles times the actual road miles between the closest named point and the unnamed point. Distance within a single zip code is 3 miles including both a pickup and delivery.

In support of this request, Bureau asserts generally as follows:

1. Shippers and carriers in California want a simpler, easily applicable zip code distance table. Such tables are used in nearly all other parts of the United States.
2. The shipping public has been accustomed to distance rates based on zip codes in nearly all parts of the U.S., other than California.
3. Zip codes for all points in the U.S. can easily be obtained at any U.S. Post Office and at most public libraries.
4. GO 155 requires all freight bills and bills of lading to contain zip codes.

5. The proposed Distance Table 2 can be efficiently used either in manual or in computerized form.
6. The Commission has already authorized the following independent and Bureau zip code mileage tables:
 - a. Independent tables:
Sterling Freight Systems
Viking Freight System, Inc.
Con-Way Freight Systems
TNT Bestway Transportation, Inc.
Service Air Cargo
 - b. Bureau tables:
Cal-West Motor Tariff Bureau
Western Motor Tariff Bureau
7. Applicants propose that Distance Table 2 be used for all deliveries, with possible exceptions such as split deliveries and territorial application. For these, Table 8 will be used.
8. Distance Table 2 will eliminate the need to use addresses to determine the applicable Metropolitan Zones.
9. Distance Table 2 mileages compare closely with equivalent Distance Table 8 mileages. The traffic consultant firm of Craft & Associates, Inc. has found no major differences in mileage after comparing the two distance tables for many months.
10. Distance Table 2 mileages were developed by Transtech Systems, Inc. after a long period of trial and error. Since the mileage differences between Tables 2 and 8 are less than one percent, the use of Table 2 will not affect any carrier's annual revenue by more than one percent.
11. Applicants will make continuous updates to reflect zip code changes and corrections by the U.S. Postal Service.

12. Distance Table 2 will be printed on both sides of loose-leaf paper; changes and corrections can be easily made by replacing the affected loose-leaf page.

Notice of filing of the application appeared in the Commission's Daily Transportation Calendar of January 29, 1991. No protests to the application or requests for hearing have been received.

The Transportation Division recommends that the application may be granted ex parte, in the absence of protest.

Findings of Fact

1. GO 147-B names rules specifying certain rate levels and procedures which highway common carriers and highway contract carriers must observe. Rule 2 of the GO provides for departure from these rules if the Commission finds that such departure is reasonable and necessary.
2. Bureau proposes to publish Distance Table 2, which its members may use in lieu of the Commission's Distance Table 8.
3. Mileages in Distance Table 2 are determined from zip codes, with provisions for determining mileages when no zip codes have been assigned. Large zip code areas are subdivided by suffixes.
4. Distance Table 2 provides a more efficient method of determining mileages either manually or in computerized form.
5. While the rates resulting from the mileages in Distance Table 2 depart from levels specified by GO 147-B, specifically in connection with the requirements of Rules 7.1(a), 7.2(a), and 7.4, the net revenue impact of those departures is minimal.
6. Bureau was authorized by D.90-05-022 to set rates collectively under PU Code § 496 and GO 154.
7. Transportation Division recommends the ex parte granting of the application. No protests or requests for hearing have been received.

8. The departures from GO 147-B and PU Code §§ 452, 454, 461.5, and 491 authorized by this order are reasonable and necessary.

Conclusions of Law

1. The application should be granted.
2. Since there is an immediate benefit available to the participating carriers and the public, the effective date of this order should be today.

ORDER

IT IS ORDERED that:

1. Truckload Motor Tariff Bureau, Inc. (Bureau), may file, on 5 days' notice, its CA. P.U.C. No. 4, Distance Table 2, as shown in Appendix A to the application.
2. Rates and charges may be based on distances determined from Bureau's CA. P.U.C. No. 4, Distance Table 2, by highway common carriers who comply with GO 147-B rules and are members of the Bureau.
3. Bureau is authorized to depart from the provisions of GO 147-B, and from Public Utilities Code §§ 452, 454, 461.5, and 491 to the extent necessary to implement the authority granted by this decision.
4. This is a final order and the proceeding is closed.
This order is effective today.
Dated May 8, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
G. MITCHELL WILK
JOHN B. OHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

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

[Signature]
EAL J. SHULMAN, Executive Director
PS