

ORIGINAL

Decision 91 06 057 JUN 20 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
WESTERN MOTOR TARIFF BUREAU, INC.,)	Application No. 90-12-037
AGENT, for permission under Sections)	(Filed December 17, 1990)
454, 460, 461.5, 490 and 491 of the)	
Public Utilities Code to publish)	
certain tariff provisions.)	

O P I N I O N

By this application of Western Motor Tariff Bureau, Inc., Agent, (WMTB) authority is being sought under Sections 454, 460, 461.5, 490 and 491 of the Public Utilities Code to cancel Western Motor Tariff Bureau, Inc., Agent, Tariff WMT 172, CA PUC 48 (hereinafter WMT 172), and publish a new Tariff WMT 172-A, CA PUC 174 (hereinafter WMT 172-A). WMT 172 contains routes, interchange points and rules of application for carriers providing joint-line service in connection with the rates provided in Tariff WMT 570-A, CA PUC 85.

WMT 172 has been in effect for more than 10 years and numerous revisions to carrier routes have been made under authority of CA. P.U.C. Decision No. 91009 dated November 6, 1979 in Application No. 59125. Applicant states that "WMT 172 ... contains large amounts of extraneous provisions due to former participants leaving the industry due to bankruptcy and a variety of other reasons."

Applicant wishes to reissue WMT 172 with changes which result in new routes and the elimination of routes per instructions of the individual members of the bureau. WMTB requests that authority be granted to allow applicant to publish a new Tariff WMT 172-A, CA PUC 174 and cancel WMT 172, CA PUC 48, and to amend its

Participating Carrier Tariff WMT 171-C, CA PUC 148 to the extent necessary to show the new Tariff WMT 172-A and the deletion of the old WMT 172.

The application was listed on the Commission's Daily Calendar of December 20, 1990. No objection to the granting of the application has been received.

Findings of Fact

1. Western Motor Tariff Bureau, Inc. Tariff WMT 172, CA PUC 48 has been in effect for more than 10 years.
2. Tariff WMT 172 contains large amounts of extraneous provisions.
3. Western Motor Tariff Bureau wishes to reissue WMT 172.
4. Western Motor Tariff Bureau has notified its entire general freight membership of the pending reissue of WMT 172.

Conclusions of Law

1. The application to reissue WMT 172 should be granted.
2. The proposed tariff should be adopted as set forth in Appendix A of the application.
3. This order should be made effective 30 days from today.

ORDER

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized to publish Tariff WMT 172-A, CA PUC 174 and to simultaneously cancel Tariff WMT 172, CAL. PUC 48.
2. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized to amend its Participating Carrier Tariff WMT 171-C, CA PUC 148 to the extent necessary to show the new Tariff WMT 172-A and the deletion of the old WMT 172.
3. Tariff publications authorized to be made as a result of this order shall be made effective on not less than thirty days' notice to the Commission and to the public.

4. Highway common carriers, in establishing and maintaining routes authorized by this order, are authorized to depart from the provisions of Public Utilities Code Sections 460 and 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 routes published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

This order is effective 30 days from today.

Dated JUN 20 1991, at San Francisco, California.


WILLIAM R. SCHULTE, Director
Transportation Division

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


NEAL J. SAULMAN, Executive Director