

T/PNK/AV/WPSC

Decision 83 09 040 SEP 7, 1983**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 Western Motor Tariff Bureau, Inc.)
 seeking authority to publish tariff)
 provisions resulting in increases)
 because of proposed transfer of)
 James William Livesay, dba Golden)
 Bay Freight Lines to Western Motor)
 Tariff Bureau, Inc. from Pacific)
 Motor Tariff Bureau, Inc.)

Application 83-05-49
 (Filed May 23, 1983;
 Amended July 18, 1983)

O P I N I O N

Western Motor Tariff Bureau, Inc., Agent (WMTB), on behalf of James William Livesay dba Golden Bay Freight Lines (Golden Bay) requests authority to cancel Golden Bay's participation in tariffs issued by Pacific Motor Tariff Bureau, Inc. and to transfer his participation to the following tariffs issued by WMTB:

Scope of Operations Tariff 175, CA PUC 103;
 Participating Carrier Tariff 171-B, CA PUC 104;
 Rules Tariff 170, CA PUC 51;
 Class Rate Tariff 570-A, CA PUC 85; Exception
 Sheet 1-B, CA PUC 34; and WMT 20-4 series.

Golden Bay desires to participate in WMTB tariffs to be competitive with other carriers. Golden Bay requests authority to increase his rates and charges by 22% to the level of competing carriers as granted by Decisions 92256, 92829, 93805 and Resolution TS-545.

Golden Bay has prepared financial data for a test year ending December 31, 1982. From that data, the staff has prepared a comparison of Golden Bay's financial position using the present costs being experienced compared with revenue earned in 1982 and with the projected revenue for 1983 including the sought increase.

	<u>Test Year Ending December 31, 1983</u>			
		<u>Present Rates</u>		<u>Proposed Rates</u>
Revenue	(1982)	\$1,940,424	(1983)	\$2,367,317
Expenses Revised to Reflect Current Costs		2,062,024		2,062,024
Profit (Loss)		(121,600)		305,293
Operating Ratio		106.3		87.1

Golden Bay is of the opinion that the proposed rate increase would not produce as great a profit as indicated above since some traffic could shift to other means of transportation.

Applicant indicates that the proposal is not considered to be a major action significantly affecting energy efficiency within the meaning of Public Utilities (PU) Code Section 3502.1 and 3502.2.

The application and amendment were listed on the Commission's Daily Calendars of May 26, and July 20, 1983. No objection to the granting of the application, as amended, has been received.



Findings of Fact

1. The proposed 22% increase in applicant's rates and charges has been shown to be justified.
2. Under this proposal, Golden Bay estimates he will realize additional revenue of about \$305,293.
3. Limited authority to depart from the provisions of PU Code Section 461.5 is justified.
4. The following order has no reasonably foreseeable impact upon the energy efficiency of highway common carriers.
5. A public hearing is not necessary.

Conclusions of Law

1. The application, as amended, should be granted.
2. Because applicant is already experiencing the increased costs, the order which follows should be made effective on the date of signature. The tariff pages to be published should be made effective no sooner than the fifth day after the effective date of this order.

O R D E R

IT IS ORDERED that:

1. James William Livesay is authorized to increase his rates by 22% and transfer from tariffs issued by Pacific Motor Tariff Bureau, Inc. to tariffs issued by Western Motor Tariff Bureau, Inc. Agent.

2. Tariff publications authorized to be made as a result of this order shall be filed not earlier than 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. Livesay 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. The cancellation of Livesay's participation in Pacific Motor Tariff Bureau, Inc. tariffs shall be concurrent with the effective date of the authorized participation in Western Motor Tariff Bureau Inc. Agent, tariff publications.

This order is effective today.

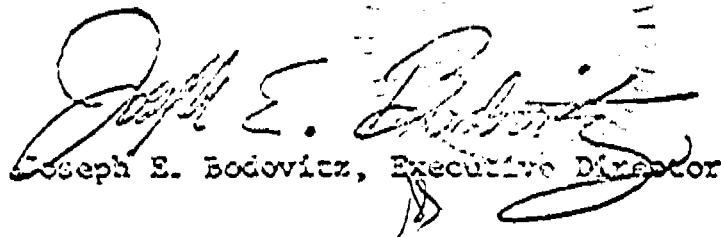
Dated SEP 7, 1983, at San Francisco, California.

LEONWARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

Commissioner William T. Bagley
being necessarily absent, did
not participate.

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


Joseph E. Bodovitz, Executive Director

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Findings of Fact

1. The proposed 22% increase in applicant's rates and charges has been shown to be justified.
2. Under this proposal, Golden Bay estimates he will realize additional revenue of about \$305,293.
3. Limited authority to depart from the provisions of PU Code Section 461.5 is justified.
4. The following order has no reasonably foreseeable impact upon the energy efficiency of highway common carriers.
5. A public hearing is not necessary.

Conclusions of Law

1. The application, as amended, should be granted.
2. Because applicant is already experiencing the increased costs, the order which follows should be made effective on the date of signature. The tariff pages to be published should be made effective no sooner than the fifth day after the effective date of this order.

O R D E R

IT IS ORDERED that:

- James William Lewis*
1. ~~Golden Bay~~ is authorized to increase his rates by 22% and transfer from tariffs issued by Pacific Motor Tariff Bureau, Inc. to tariffs issued by Western Motor Tariff Bureau, Inc. Agent.

2. Tariff publications authorized to be made as a result of this order shall be filed not earlier than 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. ~~Golden Bay~~^{Humboldt} 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. The cancellation of ~~Golden Bay's~~^{Humboldt's} participation in Pacific Motor Tariff Bureau, Inc. tariffs shall be concurrent with the effective date of the authorized participation in Western Motor Tariff Bureau Inc. Agent, tariff publications.

This order is effective today.

Dated SEP 7 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
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Commissioners

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