

MHS/gjw *

Decision No. 87985 OCT 12 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Southcoast)
Freight Bureau under the Shortened)
Procedure Docket for authority to)
make effective on California intra-) Shortened Procedure Tariff Docket
state traffic increases in rates) Application No. 57432
applicable to cereal food prepara-) (Filed July 8, 1977)
tions described in Item 7455 of)
PSFB Tariff 244-F.)

OPINION AND ORDER

By this application, Pacific Southcoast Freight Bureau, Agent (PSFB) for and on behalf of the carriers participating in its Freight Tariff 244-F, seeks to increase all rates applicable to Scale 3 cereal food preparations, described in Item 7455 in said tariff, by fifteen (15) percent at the Ex Parte 313 level, then add Ex Parte 330 and 336 increases to the result. The rates affected are published in Items 7500 to 32670 of PSFB Freight Tariff 244-F.

Applicant states that the California intrastate rates on cereal food preparations are and have been depressed, failing to return sufficient revenue to offset costs of performing the service required. Applicant avers that the carriers have determined a general increase in said rates is the only solution to provide rail carriers an adequate return for equipment investment and service provided.

Applicant declares that an increase of fifteen (15) percent on cereal food preparations rates in interstate traffic, Scales 11 and 11A of Tariff 244-F, is published in Supplement 40 thereto.

Applicant asserts that increases resulting from the proposal would not increase the overall revenue of the carriers involved herein by more than one half (1/2) of one (1) percent. Applicant anticipates that the yearly revenue increase under the proposal should approximate not more than \$500.00.

Applicant alleges that the proposed rate increase was formally approved, under its Proposal 8950, by carrier members of its Freight Traffic Committee, that the proposal was publicized and distributed to all interested parties of record, and there was no opposition to the approved fifteen (15) percent increase.

The application was listed on the Commission's Daily Calendar of July 11, 1977. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that applicant's proposal is reasonable and justified to the extent indicated in the ensuing order. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. Pacific Southcoast Freight Bureau, Agent on behalf of the carriers which are parties to Pacific Southcoast Freight Bureau Tariff 244-F, is authorized to publish the tariff changes as specifically proposed in the application.

2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and to the public, and said authority shall expire unless exercised within ninety days after the effective date of this order.

3. The authority set forth herein is granted subject to the express condition that applicant and the carriers on whose behalf it is participating herein will never urge before the Commission in any proceeding under Section 734 of the Public Utilities Code, or in any other proceeding, that the opinion and order herein constitute a finding of fact of the reasonableness of any particular rate or charge. The filing of rates pursuant to the authority granted constitutes an acceptance by applicant and said carriers as a consent to the condition.

(SPT) A. 57432 - MHS/gjw

4. The authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 12th day of OCTOBER, 1977.

Robert Bahner
President
William Squires Jr.
George L. Sturgens
Richard P. Givalla
Clare T. Hedrick
Commissioners