

Decision No. 88014 OCT 18 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of American Pacific )  
 Express, Inc., under the Shortened )  
 Procedure Tariff Docket to publish )  
 tariff provisions resulting in )  
 increases because of proposed )  
 transfer of applicant's rates to )  
 Western Motor Tariff Bureau, Inc., )  
 from another tariff bureau. )

Shortened Procedure  
 Tariff Docket  
 Application No. 57557  
 (Filed September 7, 1977)

OPINION AND ORDER

By this application, American Pacific Express, Inc. requests authorization to cancel its participation from tariffs issued by John T. Reed, Tariff Publishing Officer, Pacific Coast Tariff Bureau, Agent (PCTB)<sup>1</sup> and, concurrently with the proposed cancellation, to participate in certain tariffs issued by Western Motor Tariff Bureau, Inc., Agent (WMTB).<sup>2</sup>

Applicant states that its certificate is restricted to uncrated new furniture and as such, its competition among motor carriers is limited. It finds that these carriers presently participate in tariffs issued by WMTB. They have a distinct advantage of being members of WMTB since under its Section 496 Application WMTB affords carriers a forum under which they may collectively meet and discuss rate making matters. It is applicant's desire to participate in these activities.

Applicant points out that due to the inherent differences between the tariffs of PCTB and WMTB increases could result only

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<sup>1</sup>The PCTB Tariffs are Local Freight Tariff No. 11, Cal.P.U.C. No. 15 and Scope of Operating Rights, Freight Tariff No. 14, Cal.P.U.C. No. 16 Series of C. R. Nickerson, Agent.

<sup>2</sup>The WMTB Tariffs are: Scope of Operations and Participating Carrier Tariff No. 100, Cal.P.U.C. No. 3; Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 15; and Points Directory No. 1-A, Cal.P.U.C. No. 31.

from the application of certain rules since the basic rate structure in PCTB tariffs and WMTB tariffs are identical. Examples of such increases are Item 7105 of WMTB No. 111 which specifically names provisions for service of transporting upholstered furniture and Item 357 of WMTB No. 111 which provides redelivery charges, subject to certain conditions. PCTB No. 15 does not provide charges for either of these services.

Applicant avers that increases resulting from the proposal herein would not increase its California intrastate gross revenue by as much as one percent.

Copies of the application were furnished to California Trucking Association; John T. Reed, Pacific Coast Tariff Bureau; and Western Motor Tariff Bureau, Inc. on or about August 28, 1977. The application was listed on the Commission's Daily Calendar of September 12, 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. A public hearing is not necessary. The Commission concludes that the application should be granted as set forth in the ensuing order.

IT IS ORDERED that:

1. American Pacific Express, Inc. is authorized to have its participation canceled from tariffs issued by John T. Reed, Tariff Publishing Officer, Pacific Coast Tariff Bureau, Agent and to have its participation added to certain tariffs issued by Western Motor Tariff Bureau, Inc., Agent, 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 five days after the effective date of this order on not less than five days' notice to the Commission and to the public.

3. The effective date of the Pacific Coast Tariff Bureau, tariff publications authorized herein shall be concurrent with the effective date of the Western Motor Tariff Bureau, Inc., tariff publications authorized herein.

4. The authority granted by the order herein 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 18<sup>th</sup> day of OCTOBER, 1977.

Robert Bateman  
President  
William Synon J  
Vernon L. Stungen  
Richard D. Swale  
Clair J. Deibel  
Commissioners