

Decision No. 88245 DEC 13 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor)	
Tariff Bureau, Inc. under the)	
Shortened Procedure Tariff)	
Docket to publish for and on)	Shortened Procedure
behalf of California Freightways)	Tariff Docket
to become a party to an acces-)	Application No. 57648
orial provision and a minimum)	(Filed October 24, 1977)
charge provision which will)	
result in increases.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent, (WMTB) seeks authority, on behalf of California Freightways (CFEQ), to amend Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15 (Tariff No. 111), as follows: (1) amend Item No. 10 by adding (CFEQ) to the encircled 1 provisions which provide that accessorial services shall apply when carrier is required to provide a helper in compliance with labor agreements; (2) amend Item No. 460 (Minimum Charges) by adding (CFEQ) into the encircled 1 provisions, specifically paragraph 4.

Applicant states that under labor agreements CFEQ is required to provide a helper to assist the driver whenever services such as loading or unloading are required. Usually the loading or unloading is performed by the driver of the vehicle. However, under certain union agreements the driver is precluded from physically handling the merchandise and the carrier is required to provide a helper and, of course, is done so without specifically being requested by the consignor or consignee. The provisions proposed herein will allow the carrier to assess a reasonable charge under these circumstances.

Applicant declares that the minimum charges set forth in Item 460 (Cols. B&C-for shipments moving at a distance exceeding 300 and 500 miles, respectively) are ten percent (10%) higher than the minimum charge provisions of Minimum Rate Tariff 2. Numerous carriers have taken exception to this ten percent (10%) differential by establishing a provision that when they are tendered two or more shipments from one consignor at one time, at one point of origin within either the Los Angeles Basin Territory, Sacramento Territory or the San Francisco Territory the base minimum charge as applicable under Minimum Rate Tariff 2 provisions will apply. CFEQ does not have any such restriction and have determined that a single shipment tender under minimum charge application which requires multi-terminal handling is not compensatory. CFEQ believes that when it is tendered two or more shipments at one time from one consignor, the combined revenue of the two shipments would curtail some of its losses. CFEQ presently participates in Column B of Item 460 on shipments moving at distances exceeding 300 constructive miles but not exceeding 500 constructive miles at one hundred and ten percent (110%) of the charge shown. It also participates in Column C of Item 460 on shipments moving at distances exceeding 500 constructive miles at one hundred and ten percent (110%) of the charge shown.

CFEQ proposes to retain the aforementioned Column C provisions as they are and to amend the Column B provisions to allow a consignor to avail himself of the lower basic charge if he tenders two or more shipments at one time and place. This incentive may cause the consignor to tender more shipments to CFEQ thereby helping it to increase its revenue.

Applicant asserts that increases resulting from the proposals would not increase the overall revenue of CFEQ by more than one percent (1%). Applicant anticipates that the yearly revenue increase derived from the application of Item No. 10

should approximate not more than \$1,500.00, and the additional yearly revenue expected which is derived from the application of Item No. 460 should approximate not more than \$2,500.00.

Applicant avers CFEQ has indicated that the proposed publication will not be opposed by any shipper.

The application was listed on the Commission's Daily Calendar of October 26, 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. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized on behalf of California Freightways to publish amendments to its Local, Joint and Proportional Freight and Express Tariff No.111, Cal. P.U.C. No. 15, 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 authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

The order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 13th day of DECEMBER, 1977.

Robert Batwinich

President

William J. Lyons, Jr.

Vernon L. Stinger

Robert W. Howell

Clair L. Deitch

Commissioners