

ORIGINAL

Decision No. 89011 JUN 27 1978

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 in its Cement Tariff No. 17, Cal. P.U.C. No. 21, tariff provisions resulting in increases in rates for the account of Miles & Sons Trucking Service, Inc.

Shortened Procedure
Tariff Docket
Application No. 57955
(Filed March 30, 1978)

Application of Western Motor Tariff Bureau, Inc. under the Shortened Procedure Tariff Docket to publish in its Cement Tariff No. 17, Cal. P.U.C. No. 21, tariff provisions resulting in increases in rates for the account of Earl W. Hudson, D.B.A. Hudson Trucking

Shortened Procedure
Tariff Docket
Application No. 57956
(Filed March 30, 1978)

Application of Western Motor Tariff Bureau, Inc. under the Shortened Procedure Tariff Docket to publish in its Cement Tariff No. 17, Cal. P.U.C. No. 21, tariff provisions resulting in increases in rates for the account of Universal Transport System, Inc.

Shortened Procedure
Tariff Docket
Application No. 57957
(Filed March 30, 1978)

O P I N I O N

By these applications, Western Motor Tariff Bureau, Inc. (WMTB) seeks authority on behalf of Miles & Sons Trucking Service, Inc. (Miles); Earl W. Hudson (Hudson), dba Hudson Trucking; and Universal Transport System, Inc. (Universal) to publish increases in Item 3000 (Distance Commodity Rates) of WMTB Tariff No. 17.

Applicant states that Item 3000 of WMTB Tariff No. 17 provides rate scales in northern and southern territories. The rates in the northern territory are higher than those established in the southern territory. Shipments of cement originating from the northern territory and destined to either the northern or southern territory are assessed rates from the northern territory scale and shipments of cement originating from the southern territory and destined to either the northern or southern territory will be assessed rates from the southern territory scale.

Applicant declares that, usually, cement destined to the northern territory will originate in the northern territory and cement destined to the southern territory will originate in the southern territory. Because of the recent cement shortage and marketing procedures Miles, Hudson, and Universal have been called upon to transport cement from mills in the south to destinations in the north. When this occurs applicant has had to assess the lower southern territory rates which do not recompense the higher wage costs it incurs as a carrier located in the northern territory wage scale.

Applicant avers that increases resulting from the proposal herein would not increase California intrastate gross revenue of Miles, Hudson, and Universal by as much as one percent. Applicant has been advised that revenue impact for the three carriers would be as follows:

1. Miles - \$179.82 had the sought increases been in effect between July 1977 through February 1978.
2. Hudson - \$128.29 had the sought increases been in effect between September 1977 through February 1978.
3. Universal - None as no shipments of this type have been transported within the last 6 months.

Applicant alleges that the proposal would not be opposed by any shipper because shippers would have the option of using other carriers at the lower rates on future shipments.

Application No. 57955 was listed on the Commission's Daily Calendar of April 3, 1978. Applications Nos. 57956 and 57957 were listed on the Commission's Daily Calendar of April 4, 1978. General Portland, Inc. protests ex parte handling of the applications.

The protest is basically a restatement of its argument in support of its Petition for Reconsideration and Rehearing of Decision No. 88495 in Application No. 57784. Decision No. 88495 granted authorization identical to that sought herein to applicant on behalf of Les Calkins Trucking, Inc. By Decision No. 88747 dated April 18, 1978 the Commission denied rehearing or reconsideration of Decision No. 88495.

Protestant is not restricted to selecting only Miles, Hudson, or Universal for all future hauls; it has the option of selecting any other authorized carrier who could meet their needs.

In the circumstances, the Commission finds that increases resulting from applicant's proposals are justified. A public hearing is not necessary. The Commission concludes that the applications should be granted.

O R D E R

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc. is hereby authorized on behalf of Miles & Sons Trucking Service, Inc.; Earl W. Hudson, dba Hudson Trucking; and Universal Transport System, Inc. to publish increases in Item 3000 of its Local Freight Tariff No. 17, Cal. P.U.C. No. 21, as specifically proposed in the applications.

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

Dated at San Francisco, California, this 27th day of JUNE, 1978.

William S. Grooms, Jr. President
Vernon A. Sturgeon
Charles D. Gervelle
Clair D. DeWitt Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.