

Decision No. 89292 AUG 22 1978

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 behalf of Airway Truck-)
ing Co., and all other carriers as)
shown in Exhibit "A", tariff pro-)
visions resulting in an increase)
because of the cancellation of)
certain specific commodity rates.)

Shortened Procedure
Tariff Docket
Application No. 58192
(Filed June 30, 1978)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., (WMTB) seeks authority on behalf of Airway Trucking Co. (Airway) and all other carriers as shown in Exhibit A of the application to cancel in its entirety Item 4742 of WMTB, Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15 (WMTB 111).

Item 4742 provides specific commodity rates on iron or steel products to various points within or between seven metropolitan zones in the Los Angeles area.

Applicant declares that the cancellation of the rates will result in the application of class rates as published in WMTB 111, and it is applicant's contention that such class rates will yield a fair compensatory revenue to Airway and the carriers shown in Exhibit A of the application.

Applicant states that a limited number of common carriers have participated in Item 4742 since its inception in WMTB 111 in September of 1964. Identical provisions to Item 4742 for permitted carriers were published in Item 340.5 of Minimum Rate Tariff 5 and brought forward in Item 764 of Minimum Rate Tariff 2 in March of 1971.

Applicant avers that the records of Airway and the participating carriers shown in Exhibit A show that the type of traffic involved in Item 4742 has not been tendered to common carriers nor do they have customers who require this type of service. Carriers participant to Item 4742 are of the opinion that if they were requested to perform the type of operation involved, the rate level in Item 4742 would not return to the carriers compensatory revenues for the services performed.

Applicant contends that the granting of this application would have no effect upon the shipping public since there are numerous permitted carriers within the greater Los Angeles area who provide the services detailed in Item 4742 under Minimum Rate Tariff 2 provisions.

Applicant asserts that increases resulting from the proposal herein would not increase Airway and the other participating carriers' California intrastate gross revenues by as much as one percent.

The application was listed on the Commission's Daily Calendar of July 5, 1978. 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. Western Motor Tariff Bureau, Inc. is hereby authorized on behalf of Airway Trucking Co. and all other carriers as shown in Exhibit A of the application to publish an amendment 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 publication 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 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 thirty days after the date hereof.

Dated at San Francisco, California, this 22nd day of AUGUST, 1978.

Robert B. ...
President
William ...
Vernon L. ...

Commissioners

Commissioner Richard D. Gravello, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.