

Decision No. 89751 DEC 12 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor	)	
Tariff Bureau, Inc., under the	)	Shortened Procedure
Shortened Procedure Tariff Doc-	)	Tariff Docket
ket for and on behalf of Samjo,	)	Application No. 58053
Inc., D.B.A. Smiser Freight	)	(Filed May 5, 1978)
Service to amend Bureau Tariff	)	
No. 111 which results in in-	)	
creases.	)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent, (WMTB) seeks authority, on behalf of Samjo, Inc., doing business as Smiser Freight Service (Smiser) to establish valuation rules in its Local, Joint and Proportional Freight and Express Tariff No. 111 (WMTB 111), Cal. P.U.C. No. 15 predicateding its rates on declared valuations of not exceeding \$50 for any shipment except electronic products, and \$125 for shipments of electronic products (containing one or more packages) with an aggregate weight of 25 pounds or less and not exceeding \$2 per pound on any shipment except electronic products and \$5 per pound on any electronic products shipment (containing one or more packages) of any aggregate weight exceeding 25 pounds. A charge of 20 cents for each \$100 or fraction thereof will be assessed for declared value in excess of the values stated above.

WMTB states that applicant from time to time is tendered a shipment for delivery which becomes either lost, stolen or strayed. As an example, it recently received a shipment of recorders or players for delivery to a television station located in Calexico. The carton weighing 106 pounds was stolen, and a claim was subsequently presented for \$8,601. This value would compute to an amount equivalent to \$81 per pound, but it was not shown anywhere on the bill of lading.

Applicant points out that Item 780 of National Motor Freight Classification prohibits carriers from accepting "Articles of Extraordinary Value". However, no definition of extraordinary value is offered in the classification. Applicant believes the higher valued commodities should be assessed an additional charge, as proposed herein, to offset the extra handling costs required for these commodities.

Similar deviations are maintained by Citizens Transportation Co., Riverside and Dependable Trucking Co., Inc. Los Angeles, pursuant to Item 860 of WMTB 111 and Associated Freight Lines, Oakland, and Neilsen Freight Lines, Petaluma, pursuant to Item 861 of said tariff.

In the event the application is granted, and the resulting tariff publication is made, such publication would result in an annual revenue increase of approximately \$1,300. The increase resulting from the proposal herein would not increase Smiser's California intrastate gross revenue by as much as one percent.

The application was listed on the Commission's Daily Calendar of May 9, 1978. No objections to the granting of the application has been received.

In the circumstances, the Commission finds that the proposal is 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., Agent, is hereby authorized to publish in its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15, on behalf of Samjo, Inc., doing business as Smiser Freight Service, the valuation rules as specifically set forth in Appendix A attached hereto and by this reference made a part hereof.

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.

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

This order shall become effective thirty days after the date hereof.

Dated at San Francisco, California, this 17<sup>th</sup> day  
of DECEMBER, 1978.

Robert Bateman  
President

William J. Gannon

Vernon L. Sturgeon

Robert D. Gavelle

Clive T. Hirsch  
Commissioners

## APPENDIX A

Sanjo, Inc., doing business as Smiser Freight Service, is authorized to publish rules and regulations governing valuation in Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15 as follows:

VALUATION: Except as otherwise provided in connection with individual ratings in the governing classification, exception sheet or exceptions thereto published in this tariff, the rates in this tariff are based on property declared to be of value not exceeding \$50.00 for any shipment except electronic products, and \$125.00 for an Electronic product shipment (containing one or more packages) of any aggregate weight of 25 pounds or less, a value not exceeding \$2.00 per pound on any shipment except electronic products and \$5.00 per pound on any electronic products shipment (containing one or more packages) of any aggregate weight exceeding 25 pounds. If value is not declared, such shipment shall be deemed to have been released at the aforesaid values. When value greater than above specified is declared in writing on the shipping document at the time and place of shipment, there shall be a charge for excess value at the rate of 20 cents for each \$100.00 or fraction thereof, declared in excess of the respective values stated above.

In all other respects, the provisions of Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111. Cal. P.U.C. No. 15 shall apply.

(END OF APPENDIX A)