

ORIGINAL

Decision No. 90219

APR 24 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor)
Tariff Bureau, Inc., Agent under)
Shortened Procedure Tariff Docket)
to publish for and on behalf of)
all carriers participating in its)
Tariff No. 111, Cal. P.U.C. 15,)
provisions resulting in increases)
in rates.)

Shortened Procedure
Tariff Docket
Application No. 58670
(Filed February 13, 1979)
(Amended February 23, 1979)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent (WMTB), seeks authority on behalf of carriers participating in WMTB Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15 to cancel their participation from various items in the tariff.

Applicant declares that applicant carriers have published numerous competitive rates on a variety of commodities. In most cases, their participation was included merely to be competitive with carriers who proposed commodity rates, and with no knowledge on their part of any actual movement and with no positive assurance of gaining traffic. As a result, a majority of these rates that were established by applicant carriers rarely moved any of the traffic.

Applicant contends these publications have resulted in an accumulation of commodity rates under which traffic is no longer moving due to the change of traffic patterns or other conditions. Applicant carriers have completed a review of the rates proposed for cancellation and have determined that continuance of their participation in commodity rates where no traffic is tendered serves no useful purpose.

Applicant avers that the majority of items proposed for cancellation were the subjects of two separate docket proposals considered by the Bureau's Dry Freight Standing Rate Committee at a meeting held December 14, 1978. These proposals were circulated to interested shippers on the mailing list of the Bureau's Dockets Numbers 78-CDF-6 and 78-CDF-7. There was no opposition at the meeting where the dockets were considered, nor was there any correspondence received in opposition to these proposals.

Applicant further states that the Bureau has taken precautions to check with all its participating carriers for whom this application is made, and has determined the increases proposed will not increase gross revenue insofar as California intrastate traffic is concerned for any carrier by as much as one percent. In fact, there should be no added revenue accruing to any carrier as a result of this application being granted. It is applicant's contention that the necessity of filing this application is due only to technical increases which are involved in making such cancellation. The President's wage-price guidelines do not apply.

The application and amendment were listed on the Commission's Daily Calendars of February 15 and 26, 1979. No objection to the granting of the application, as amended, has been received.

In the circumstances, the Commission finds that the proposed changes are justified. A public hearing is not necessary. The Commission concludes that the application, as amended, should be granted as set forth in the ensuing order.

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., Agent, on behalf of various carriers named in Application 58670, is hereby authorized to cancel their participation from various items as listed in the application from its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15.

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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.

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

Dated at San Francisco, California, this 24th day
of APRIL, 1979.

John E. Bryson
President

Thomas L. Sturgeon

Richard D. Howell

Clair J. Frazier

Samuel W. Smith
Commissioners