

Decision No. 90344 MAY 22 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor)	
Tariff Bureau, Inc., under)	
Shortened Procedure Tariff Docket)	
to publish, for an on behalf of)	Shortened Procedure
Brake Delivery Service-Meier)	Tariff Docket
Transfer Service, A Corporation,)	Application No. 58580
and Willig Freight Lines, provi-)	(Filed January 5, 1979)
sions resulting in increases)	(Amended April 10, 1979)
because of a publication of a)	
rule providing for exclusive)	
use/full utilization of carrier's)	
equipment.)	

OPINION AND ORDER

Western Motor Tariff Bureau, Inc., Agent, (WMTB) seeks authority on behalf of Brake Delivery Service-Meier Transfer Service (Brake) and Willig Freight Lines (Willig) to amend Item 317 of WMTB Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15. The amendment provides that overflow on shipments rated under Item 317 will be rated as separate shipments. In addition, authority is sought on behalf of Willig to cancel participation in Item No. 109500, covering electric, gas or oil lamps, of WMTB's Exception Sheet No. 1-B, Cal. P.U.C. No. 34.

Applicant states that Brake and Willig have determined that the cost of handling and transporting overflow freight which only partially loads the second or last unit of carrier's equipment far exceed the revenues that are obtained for that portion of the shipment when the lower rate applicable for the entire shipment is assessed. Brake and Willig are of the opinion that if they are to avoid operating losses on shipments with overflows, they should assess rates that bring about a compensatory level of charges in relationship to the cost of providing such service. The proposed rule is similar to that used by other carriers.

Willig became a participant to the C Reference of Item No. 109500 of Exception Sheet No. 1-B, Cal. P.U.C. No. 34, Western Motor Tariff Bureau, Inc., Agent, on September 24, 1978. The participation of Willig in the C Reference of Item No. 109500 covering electric, gas or oil lamps, NOIBN allows Willig to assess the appropriate class in the National Motor Freight Classification. Since September 24, 1978, Willig has discovered that the traffic it has handled on this commodity originated only from one shipper located in Hayward, California. Willig proposes to republish the provision on lamps that was in effect prior to September 24, 1978 and retain the rates for that traffic which originates from MZ-115 at Hayward, California.

Applicant states that the proposed tariff changes would increase the yearly revenues of Willig by \$4,500 and Brake by \$750. The increases resulting from the proposal herein would not increase either carrier's revenue by as much as one percent, and, as such, are within the President's wage-price guidelines.

The application and amendment were listed on the Commission's Daily Calendars of January 9, 1979 and April 11, 1979, respectively. 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 Brake Delivery Service-Meier Transfer Service and Willig Freight Lines, is hereby authorized to publish in its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15, and Exception Sheet No. 1-B, Cal. P.U.C. No. 34 the amendments as specifically set forth in its application, as amended.

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 22nd day
of 1 MAY, 1979.

John E. Byrne
President

George L. Sturgeon

Robert D. Givale

[Signature]
Commissioners

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