

ORIGINALDecision No. 90530 JUL 3 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff)	
Bureau, Inc., Agent under the)	
Shortened Procedure Tariff Docket)	Shortened Procedure
to publish in its Tank Tariff No.)	Tariff Docket
18, Cal. P.U.C. No. 24, Section 5,)	Application No. 58899
tariff provisions resulting in)	(Filed May 29, 1979)
technical increases in rates for)	
the account of Asbury Transporta-)	
tion Co.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent (WMTB) seeks authority on behalf of Asbury Transportation Co., (ASBY) to amend Section 5 of WMTB's Local and Joint Freight and Express Tariff No. 18, Cal. P.U.C. No. 24 (WMTB 18).

Specifically applicant proposes to amend Section 5 of WMTB 18 by limiting rates via ASBY to apply only to minimum mileage exceeding 1,200 miles, per each Weekly Volume Tender Period in Item 721, and to its participation in the Special Monthly Volume Tender Commodity Rates in Item 729.

Applicant states that the rates in Section 5 were developed to encourage shippers with proprietary equipment to retire that equipment and return lost traffic to petroleum irregular route carriers. Applicant avers that over the years authorized increases in these discounted rates did not keep abreast of increases in ASBY's cost of labor, equipment, fuel, tires, and repairs. According to applicant, ASBY has not entered into any new agreements, which are based on Section 5 rates when old agreements expired, and as a result, ASBY only participates in the volume tender plans of Items 721 and 729. Applicant contends that, with the exception of limiting the mileage in Item 721, the proposal merely allows ASBY to publish rates which are actually in effect.

Applicant alleges that the proposed provisions will increase ASBY's yearly revenue by approximately \$25,000. The increase resulting from the proposal herein would not increase the carrier's intrastate gross revenue by as much as one percent, and, as such, is within the President's wage-price guidelines.

The application was listed on the Commission's Daily Calendar of May 31, 1979. No objection to the granting of the application 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 should be granted as set forth in the ensuing order.

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., Agent, on behalf of Asbury Transportation Co., is hereby authorized to publish amendments to its Local and Joint Freight and Express Tariff No. 18, Cal. P.U.C. No. 24 as specifically proposed in the application.

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.

SPT - A. 58899 - FS

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

Dated at San Francisco, California, this 3rd day of JULY, 1979.

John G. Gujra
President

Henry L. Steyer

Robert W. Hall

Alvin J. ...

Ronald W. ...
Commissibncrs