

ORIGINALDecision No. 90628 JUL 31 1979

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 California Motor)	Shortened Procedure
Express, Ltd., California Motor)	Tariff Docket
Transport Co., Delta Express,)	Application No. 58864
Inc. and Delta Lines, Inc.,)	(Filed May 1, 1979)
tariff provisions resulting in)	
increases in rates in WMTB)	
Tariff No. 111, Cal. P.U.C.)	
No. 15 and Tariff No. 106, Cal.)	
P.U.C. No. 11.)	

OPINION AND ORDER

By this application Western Motor Tariff Bureau, Inc., Agent (WMTB), seeks authority on behalf of California Motor Express, Ltd. (CMEO), California Motor Transport Co. (CALT), Delta Express, Inc. (DLTQ), and Delta Lines, Inc. (DELT) to amend WMTB Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15, (WMTB 111) and WMTB Local Freight and Express Tariff No. 106, Cal. P.U.C. No. 11 (WMTB 106).

Specifically, applicant proposes to amend paragraph (E) (2) of Item 7 to WMTB 111 so that CMEO, CALT, DLTQ and DELT may apply the class rates of Section 5 to WMTB 111 in lieu of rates published in WMTB 106 on shipments between or within the cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont. Applicant also proposes to amend Item 29 of WMTB 106 to reflect the change in application of rates for the involved carriers.

Applicant alleges that CMEO, CALT, DLTQ and DELT have determined that the traffic transported under the rates in WMTB 106 amounts to only a minute portion of the carrier's operation. Applicant further alleges that all of the carrier's cost experience

has been the same between their operations within the areas defined under WMTB 106 and their experience statewide as covered in WMTB 111. Applicant states CMEQ, CALT, DLTQ and DELT contend that a latent threat to their current revenue exists when compared to the actual cost of service rendered. According to applicant, isolated rates on traffic in WMTB 106 exceed those in WMTB 111 so it is necessary to continue their participation in WMTB 106 so that no shipment be assessed charges lower than rates provided in the appropriate minimum rate tariff covering the East Bay area.

Applicant indicates that the proposed amendments will increase each of the carriers' revenue by approximately \$2,000. The increase resulting from the proposal herein would not increase any of the carriers' 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 15, 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 California Motor Express, Ltd., California Motor Transport Co., Delta Express, Inc., and Delta Lines, Inc., is hereby authorized to publish amendments to its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15 and its Local Freight and Express Tariff No. 106, Cal. P.U.C. No. 11 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.

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

Dated JUL 31 1979, at San Francisco, California.

John E. Bryan
President

Vernon L. Sturgeon

Robert O. Howell

Clayton J. Smith

Lawrence W. Smith
Commissioners