

Decision No. 90748 AUG 28 1979

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor	)	
Tariff Bureau, Inc., under the	)	
Shortened Procedure Tariff	)	
Docket for and on behalf of	)	Shortened Procedure
Pacific Motor Trucking Company	)	Tariff Docket
and Pacific Motor Transport	)	Application No. 58929
Company, to amend Item 5 of	)	(Filed June 11, 1979)
Bureau Tariff No. 111, Item 5	)	
of Bureau Tariff 104-A, Item 29	)	
of Bureau Tariff No. 106, which	)	
result in increases.	)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent (WMTB) seeks authority on behalf of Pacific Motor Trucking Company (PMTB) and Pacific Motor Transport, (PCMQ) to amend WMTB's Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15 (WMTB 111); WMTB's Local and Proportional Freight and Express Tariff No. 104-A, Cal. P.U.C. No. 23 (WMTB 104-A) and WMTB's Local Freight and Express Tariff No. 106, Cal. P.U.C. No. 11 (WMTB 106) as follows:

(A) Amend Item 5 (item will state that rates named in this tariff do not apply via PCMQ nor PMTB) to WMTB 111 on 14th Revised Page 27-B to include the following new paragraph (G):

(G) Nuclear, radioactive materials or isotopes, or specifically described materials or articles when such articles or materials are subject to the regulations of the Hazardous Materials Tariff.

(B) Amend Item 5 to WMTB 104-A, 15th Revised Page 7-A and Item 29 to WMTB 106, 21st Revised Page 9-B to include the following paragraph:

Pacific Motor Transport Company (PCMQ)  
Pacific Motor Trucking Company (PMTB)

Applicant states that under the proposed amendments carrier will not accept for shipment or handling any nuclear active materials or isotopes for forwarding in single line or joint line service. These new provisions will apply to the more specifically described materials or articles when such articles or materials are subject to the regulations of the Hazardous Materials Tariff.

Applicant contends that in 1978 PMTC and PCMQ handled only two shipments of nuclear materials totaling 327 pounds for a total revenue of \$46.81. Applicant alleges that PMTC and PCMQ maintains a \$50,000,000 liability insurance policy for the handling of nuclear shipments. The prorata share of the premium on the insurance policy amounted to \$522. WMTB further contends that annual premium payment has been increased to \$934.00 during 1979. WMTB declares that the insurance cost plus the ordinary transportation expense renders this type of traffic extraordinarily expensive to transport. WMTB indicates that PCMQ and PMTC seek to amend their tariffs on intrastate traffic to eliminate the handling of nuclear materials because, according to WMTB, both carriers are of the opinion that a latent threat exists to its revenues should it continue to transport nuclear materials in the future.

WMTB avers that applicants will receive no increase in revenue from the proposed tariff changes; however, WMTB asserts that both carriers would benefit from lower insurance premiums. Applicant points out that 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 was listed on the Commission's Daily Calendar of June 13, 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 Pacific Motor Trucking Company and Pacific Motor Transport Company, is hereby authorized to publish amendments to its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15, Local, Proportional Freight and Express Tariff No. 104-A, Cal. P.U.C. No. 23, and to 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 AUG 28 1979, at San Francisco, California.

John E. Byrne  
President  
Richard D. Howell  
Donald W. Smith  
Commissioners

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