

Decision No. 90749 AUG 28 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 and on behalf of)	Shortened Procedure
Atlas Freight Lines, Inc., and)	Tariff Docket
Victorville-Barstow Truck Line,)	Application No. 58931
tariff provisions resulting in)	(Filed June 11, 1979)
increases because of the publica-)	
tion of a rule providing for full)	
utilization of carrier's equip-)	
ment.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent (WMTB), seeks authority for and on behalf of Atlas Freight Lines, Inc. (ALFE), and Victorville-Barstow Truck Line (VBTL) to include ALFE and VBTL as participants in a full-utilization of carrier's equipment rule in one of its tariffs and concurrently cancel ALFE and VBTL's participation in a similar rule in the same tariff.

It is proposed to add ALFE and VBTL as participants in Item No. 298 and to cancel both carriers participation from Item No. 395 of WMTB's Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15.

Applicant alleges that both ALFE and VBTL are handling a substantial quantity of high cubic volume low density freight and an adequate utilization of carriers' equipment is not being achieved under ALFE and VBTL's current rule pertaining to these shipments. Applicant avers that participation by ALFE and VBTL in Item No. 298 as proposed herein would provide each carrier with sufficient revenue in those instances where exclusive use of its high capacity equipment is required and the involved shipment is not loaded to the space carrying capacity of such equipment.

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Commission staff analysis discloses that ALFE's and VBTL's current tariff rule provides that the minimum charge for exclusive use of its motor carrier equipment shall be computed by applying the rate to a single minimum weight factor regardless of the space carrying capacity of such equipment. Under the proposal herein, ALFE and VBTL would apply the rate to one of three minimum weight factors which vary according to the length of the motor carrier equipment used. The carrier would be more adequately compensated in those instances where exclusive use of its high capacity equipment is required and better utilization of its equipment would be obtained. The staff recommends that the application be granted by ex parte order.

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 either of the carriers' California intrastate 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 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, is hereby authorized, on behalf of Atlas Freight Lines and Victorville-Barstow Truck Line, to publish amendments to Items Nos. 298 and 395 of its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15, 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 order shall become effective thirty days after the date hereof.

Dated AUG 28 1979, at San Francisco, California.

John E. Guyon
President

Verona L. Sturgeon

Robert D. Howell

Leonard H. Spence
Commissioners

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