

EAB/FS

Decision No. 90753

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)
to publish for and on behalf of)
California Freightways, provisions))
resulting in increases because of)
the publication of a rule pro-)
viding charges for detention on)
other than truckload shipments.)

Shortened Procedure
Tariff Docket
Application No. 59003
(Filed July 18, 1979)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent, seeks authority, on behalf of California Freightways (CAL-FRT) to amend its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15, by publishing a new item to provide charges for detention on other than truckload shipments.

Applicant alleges that CAL-FRT has experienced an increasing number of delays to their equipment involving shipments of less than 10,000 pounds, and is of the opinion that publication of a rule covering the delays to equipment is necessary. Applicant states that delays tend to be cumulative causing increased overtime payments for the carrier and also causing inconvenient delays for other shippers who have freight on the same equipment for later delivery during the same day. Applicant asserts that CAL-FRT is aware that the assessment of a charge itself will not prevent overtime nor preclude inconvenient delays to other shippers, but past experience has revealed that shippers are reluctant to demand special services when such services are assessed a charge.

Applicant declares that higher weighted shipments are assessed additional charges when delays are encountered after an allowance of free time has expired for loading and unloading. Applicant states that shippers will continue to receive free time

in excess of 25 minutes for loading and unloading depending upon the actual weight of the shipment. Applicant contends that the proposed charges will penalize only those shippers who exceed the free time allowance.

Applicant has been informed that CAL-FRT estimates that in the event this application is granted and the tariff publications are made, its annual revenues would increase by approximately \$5,200. The increases resulting from the proposal would not increase CAL-FRT's California intrastate gross 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 July 20, 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 Freightways, is hereby authorized to publish in its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15, the amendments as specifically set forth in its 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 granted herein 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. Byron
President

Vernon L. Sturgeon

Robert D. Good

Edward W. Smith
Commissioners

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