

EAB/FS

Decision No. 90305 OCT 10 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 reissue)
the tariff for and on behalf to)
Al Scannavino doing business as)
Al Scannavino Trucking Co.)

Shortened Procedure
Tariff Docket
Application No. 59071
(Filed August 15, 1979)

OPINION AND ORDER

By this application Western Motor Tariff Bureau, Inc., Agent seeks authority to publish for and on behalf of Al Scannavino, an individual doing business as Al Scannavino Trucking Company (SCAN), a new tariff.

Applicant alleges that SCAN has reviewed its existing provisions in light of traffic which is now moving and which has ceased to move and desires a complete tariff reissue to reflect only that which is appropriate and necessary. Applicant further desires to separate California intrastate traffic from interstate traffic.

According to applicant, SCAN's present tariff contains a number of rates on commodities which no longer move via SCAN having been lost to specialized carriers. In addition applicant indicates that the proposed tariff will contain railhead commodity rates based on alternative application provisions as contained in the Commission's minimum rate tariffs. Applicant further indicates that authority for such rates was taken from rail tariffs but some of the rates are above the rail rates. Applicant declares that due to the divergence in routing between that employed by SCAN and that employed by competing rail carriers authority is required under Section 460 of the Public Utilities Code to publish such rates.

Applicant states that there will be no dollar impact caused by the cancellation of various rates, nor will such publication result in an increase in California intrastate revenue. Applicant alleges

that authority is sought under Section 454 of the Public Utilities Code only because of the technical increase that results from cancellation of tariff rate items, as such, the proposal is within the President's wage-price guidelines.

The application was listed on the Commission's Daily Calendar of August 16, 1979. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that the proposed tariff publication is 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 Al Scannavino, an individual doing business as Al Scannavino Trucking Co., is hereby authorized to publish Local Freight Tariff 5-A, Cal. P.U.C. 3, as specifically set forth in Exhibit A-1 in the application.
2. Applicant, on behalf of Al Scannavino, an individual doing business as Al Scannavino Trucking Co., in establishing and maintaining the rates authorized hereinabove, is authorized to depart from the provisions of Section 461.5 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.
3. 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 the public.

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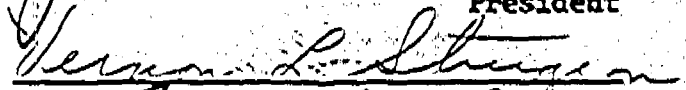
4. The authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

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

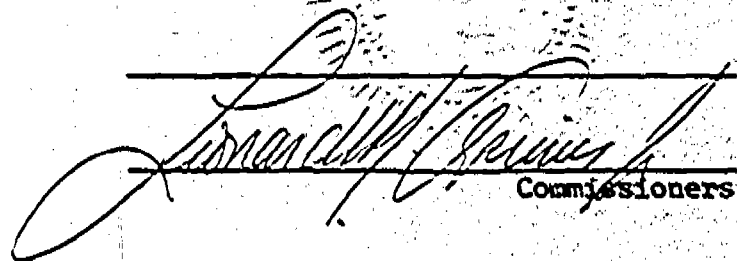
Dated OCT 10 1979, at San Francisco, California.



President







Commissioners

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