

ORIGINAL

Decision No. 90959 OCT 23 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor)	
Tariff Bureau, Inc. under the)	Shortened Procedure
Shortened Procedure Tariff Docket)	Tariff Docket
to publish in its Asphalt Tariff)	Application No. 59124
No. 19, Cal. P.U.C. No. 26, tariff))	(Filed September 6, 1979)
provisions resulting in increases)	(Amended September 20, 1979)
in rates for the account of Don)	
E. Keith.)	

OPINION AND ORDER

By this application, as amended, Western Motor Tariff Bureau, Inc., Agent (WMTB), seeks authority on behalf of Don E. Keith (KTHO) to increase the demurrage charges in Item 120(C) (3) of WMTB's Local Freight Tariff No. 19, Cal. P.U.C. No. 26 (WMTB 19).

Applicant states that when spreading equipment is in continual use, the current charge for spreading equipment is satisfactory to KTHO, but when that equipment must sit idly by, because of need for prior roadbed preparation, weather, awaiting instructions, or some similar detention, not the fault of the carrier, the current demurrage charge per one-quarter hour in Item 120 of WMTB 19 is not sufficient to cover the cost of the operator and the spreader-type equipment.

Applicant has been informed by KTHO that if the application is granted and the tariff publication is made, its annual revenue would increase by approximately \$15,000. The increase resulting from the proposal would not increase KTHO's intrastate gross revenue by as much as one percent and, as such, is within the President's wage-price guidelines.

The application and amendment were listed on the Commission's Daily Calendars of September 11 and 24, 1979, respectively. No objection to the granting of the application, as amended, has been received.

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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 Don E. Keith, is hereby authorized to publish in its Local, Freight Tariff No. 19, Cal. P.U.C. No. 26, the amendment 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 OCT 23 1979, at San Francisco, California.

President

Commissioner JOHN E. BRYSON

Present but not participating.

Commissioner Vernon E. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.





Commissioners