

ORIGINAL

Decision No. 91765 MAY 6 1980

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)	
those carriers specifically set)	Shortened Procedure
forth in Appendix A, to amend)	Tariff Docket
Items 252 and 4623 of Bureau)	Application No. 59450
Tariff 111, Cal. P.U.C. No. 15,)	(Filed February 13, 1980)
and add a new exception class in)	
Item 109856 to Exception Sheet)	
No. 1-B, CA P.U.C. No. 34 which)	
results in an increase.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent (WMTB), for and on behalf of Di Salvo Trucking Co. (Di Salvo), Haslett Company (Haslett), Kern Valley Trucking (Kern), and Salinas Valley-Santa Cruz Motor Express (Salinas Valley), seeks authority to amend Items 252 and 4623 of WMTB Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15 (WMTB 111) and establish a new exception class rating on lighting fixtures in Item 109856 of WMTB Exception Sheet No. 1-B, CA P.U.C. No. 34 (ES 1-B).

Applicant declares that Di Salvo proposes to publish in Item 109856 of ES 1-B a class exception rating of Class 200 on less-than-truckload shipments of lighting fixtures, electric or gas, NOI as described in Item 109856 of National Motor Freight Classification NMF 100-F.

Di Salvo states that it has been receiving shipments containing other items of a higher class nature such as lighting fixtures (109820), lamps (109500) and globes or shades (109138, 109139 and 109887) combined with some items that are classified lighting fixtures (109856). Di Salvo can and is willing to move this traffic but it should not be placed in the situation where

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it is moving commodities requiring a higher class than Class 100 at rates lower than what it should be assessing in the tariff. Di Salvo is of the opinion this situation can easily be eliminated with the establishment of the proposed exception class rating in ES 1-B. Di Salvo does not anticipate any increase in revenue as a result of this tariff publication inasmuch as shippers will have the option of utilizing other carriers not party to this exception, or simply take the precaution of properly describing lighting fixtures under their appropriate classification number thereby allowing Di Salvo to assess the correct and appropriate rates.

Salinas Valley is presently not subject to Paragraph (3) of Item 252 of WMTB 111 regarding Delays to Equipment. Salinas Valley has discovered that its equipment is subjected to delays and that revenue is being lost. Salinas Valley proposes to delete the Circle (1) reference mark in Item 252. Salinas Valley estimates the dollar amount of revenue increase from this proposal would amount to \$1,600 annually if its shipping patterns remain as they were in 1979.

Kern proposes to cancel its participation in Item 4623 of WMTB 111 on fertilizers, agricultural fungicides and insecticides. It also proposes to cancel joint rates with Haslett. Haslett has concurred with this cancellation. Kern and Haslett have not moved any traffic as described under Item 4623 during the past year nor do they foresee any movement of this freight via their firms in the near future. It is applicant's contention that the filing of this application for the cancellation of rates in Item 4623 is due only to technical increases involved as a result of publishing the cancellation for Kern and Haslett in this item. X

Applicant has been advised by the four carriers that in the event this application is granted and the resulting publication is made, such publication will not increase the gross revenue insofar as California intrastate traffic is concerned by as much as one percent for any of the involved carriers. The proposal is within the President's wage-price guidelines.

The application was listed on the Commission's Daily Calendar of February 14, 1980. 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 Di Salvo Trucking Co., Haslett Company, Kern Valley Trucking and Salinas Valley-Santa Cruz Motor Express is hereby authorized to publish in its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15 and Exception Sheet No. 1-B, CA P.U.C. No. 34 the amendments as 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.

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

Dated MAY 6 1980, at San Francisco, California.

John E. Bryan
President
James L. Sturgeon
Richard D. Howell
Robert J. Deering
Edward W. Jan
Commissioners