

Decision No. 91951 JUN 17 1980

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 Applegate Drayage)
 Company and Interamerican Public)
 Distribution Corporation, provi-)
 sions resulting in increases)
 because of the publication of)
 a rule providing charges for)
 detention on other than truck-)
 load shipments.)

Shortened Procedure
 Tariff Docket
 Application No. 59590
 (Filed April 14, 1980)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent (WMTB) seeks authority on behalf of Applegate Drayage Company (Applegate) and Interamerican Public Distribution Corporation (Interamerican) to amend its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15 by including Applegate and Interamerican in Item 260 which provides charges for detention of less than truckload shipments.

Applegate and Interamerican have provisions for delays to shipments subject to minimum weights of 10,000 pounds, but as with Minimum Rate Tariff 2, they have no provisions for delays to shipments of less than 10,000 pounds.

Applicant states that delays tend to be cumulative, causing increased overtime rates for the carriers, and also causing inconvenient delays for other shippers who have freight on the same equipment for later delivery during the same day. Applegate and Interamerican are aware that the assessment of a charge itself will not prevent overtime nor preclude inconvenient delays to other

shippers; however, past experience has revealed that shippers are reluctant to demand special services when such services are assessed a penalty charge. Shippers will continue to have free time of up to 40 minutes.

WMTB avers that Applegate estimates in the event the application is granted, it would increase its annual revenues by approximately \$1,200. Interamerican estimates that its increase in annual revenues would amount to \$18,000. In no event would the proposed publication increase the California intrastate gross revenues of the carriers as much as one percent. The increases are within the President's wage-price guidelines.

The application was listed on the Commission's Daily Calendar of April 16, 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 and the effective date of this order should be the date hereof because there is an immediate need for this rate relief.

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., Agent, on behalf of Applegate Drayage Company and Interamerican Public Distribution Corporation, 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 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.

(SPT) A. 59590 - T/RI

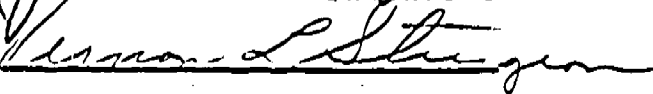
3. The authority granted herein shall expire unless exercised within ninety days after the effective date of this order.

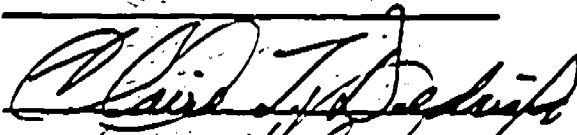
The effective date of this order is the date hereof.

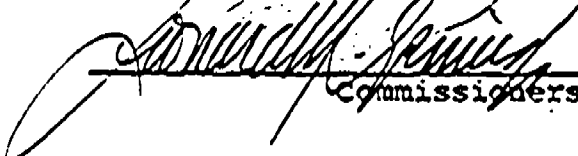
Dated JUN 17 1980, at San Francisco, California.



President







Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.