

Decision No. 92159 AUG 19 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)	Shortened Procedure
Smiser Freight Service, Samjo,)	Tariff Docket
Inc., d.b.a., provisions resulting)	Application No. 59796
in increases because of the pub-)	(Filed July 7, 1980)
lication of a rule providing)	
charges for detention on other)	
than truckload shipments.)	

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent (WMTB), on behalf of Smiser Freight Service, Samjo, Inc., d.b.a. (Smiser), seeks authority to amend its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal.P.U.C. No. 35 (WMTB 111) regarding detention of equipment on other than truckload shipments.

Smiser proposes to participate in Item 260 of WMTB 111, "Detention - Other Than Truckload", which provides a rule applying to delays of equipment involving shipments weighing less than 10,000 pounds.

Smiser alleges that an increasing number of delays are being experienced on this traffic. The delays tend to be cumulative, causing increased overtime expenses for the carrier and inconvenient delays for other shippers who have freight on the same equipment for later delivery during the day. Smiser is aware that the assessment of a charge itself will not prevent overtime nor preclude inconvenient delays to other shippers; however, past experiences have proven that shippers are reluctant to demand special services when such services are assessed an additional charge. Shippers will continue to have

free time of 25 minutes or more, depending on the actual weight of the shipment for loading and unloading, whereas assessment charges will penalize only those shippers where the time allowance has been exceeded.

Smiser has determined that the projected increase in revenue it would derive as a result of this application being granted, would approximate \$1,200 annually. This amount would not increase Smiser's annual intrastate revenue by as much as one percent. The increase is within the President's wage-price guidelines.

The application was listed on the Commission's Daily Calendar of July 10, 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 Smiser Freight Service, Samjo, Inc., d.b.a. 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.

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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 19 1980 , at San Francisco, California.

John E. Guyon
President
Kenneth L. Sturgeon

Clair J. DeWitt
Thomas W. Jan
Commissioners

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