

Decision No. 92342 OCT 22 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application)
of Traffic Executive Association-)
Eastern Railroads, H. J.)
Positano, Agent, on behalf of all)
rail carriers, to make changes)
in Car Demurrage Rules and)
Charges and Storage Rules and)
Charges.)

Shortened Procedure
Tariff Docket
Application No. 59842
(Filed July 25, 1980)

OPINION AND ORDER

By this application, Traffic Executive Association-Eastern Railroads, H. J. Positano, Agent, seeks authority on behalf of the carriers participating in Freight Tariff ICC PHJ-6004-L, naming General Car Demurrage Rules and Charges, applicable to California intrastate traffic, to amend certain rules and increase certain charges concerning Car Demurrage Rules and Charges and Storage Rules and Charges.^{1/}

Applicant seeks these changes on behalf of the participating carriers, "in order to maintain a parity on interstate and intrastate traffic". As an example, applicant is proposing to permit shippers to release cars during a railroad's off-duty hours. This proposal should "encourage shippers to furnish forwarding directions more promptly, which will result in improved utilization of equipment." This rule as modified is now applicable on interstate traffic.

In no event will the proposals, if granted, increase the gross California intrastate revenue of the carriers on whose behalf this application is filed, by as much as one percent (1%). The increases are within the President's wage-price guidelines.

1/ Specifically, Freight Tariff ICC PHJ-6004-L names General Car Demurrage Rules and Charges, Storage Rules and Charges and Special Car Demurrage Rules and Charges. The tariff is issued by H. J. Positano, Agent, New York, New York, and applies at all points on railroads' parties to the tariff. Most of the railroads operating in California are parties to the aforesaid tariff.

(SPT) A. 59842 - T/FS*

The application was listed on the Commission's Daily Calendar of July 31, 1980. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that the increases resulting from the proposal herein are justified. A public hearing is not necessary. The Commission concludes that the application should be granted as indicated 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. Traffic Executive Association-Eastern Railroads, H. J. Positano, Agent, is hereby authorized on behalf of participating carriers to amend its Freight Tariff ICC PHJ-6004-L as specifically proposed in the 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 the public.

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

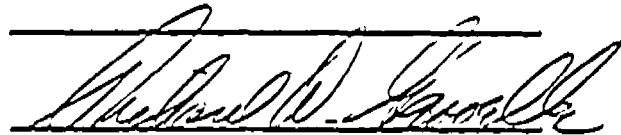
The effective date of this order is the date hereof.

Dated OCT 22 1980, at San Francisco, California.



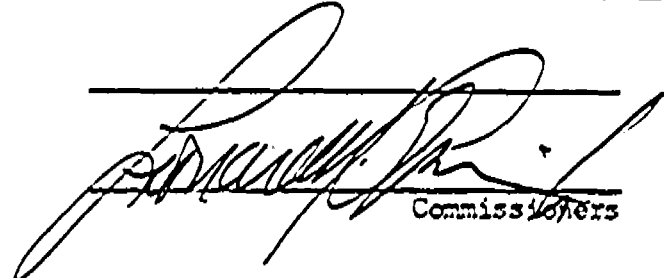
President

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



Commissioners

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



Commissioners