

ORIGINAL

Decision No. 92345 OCT 22 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 )	Shortened Procedure
Garden City Transportation Co., )	Tariff Docket
Inc., provisions resulting in )	Application No. 59889
increases because of publication )	(Filed August 18, 1980)
of a rule providing for full )	
utilization of carrier's equip- )	
ment. )	

OPINION AND ORDER

By this application Western Motor Tariff Bureau, Inc., Agent, seeks authority for and on behalf of Garden City Transportation Co., Inc. (Garden) to amend Western Motor Tariff Bureau, Inc., Agent, Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15, regarding charges for exclusive use/full utilization of equipment.

Garden presently participates in an exclusive use of equipment rule (Item 289) and a full utilization of carrier's equipment rule (Item 295). Garden plans to cancel its participation in these two items and become a participant in an item which covers both situations.

Applicant states that it is the purpose of this application to establish Garden's participation in a full utilization rule which will provide a more equitable level of charges by following more closely the cost of providing such service than the present provisions. The proposed publication will fill a definite and legitimate need of Garden. The Commission in Decision 63234, dated February 6, 1972, stated: "When a carrier provides to a shipper full use of equipment or facilities it has the right to just and reasonable compensation therefor regardless of whether those facilities are ordered or are necessitated by reason of the nature of the shipment. As a general proposition, carriers should be authorized to establish minimum charges for providing the facilities and service under those conditions."

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Applicant has been advised by Garden that granting of the proposal herein will increase its gross California intrastate revenue by approximately \$2,200 annually. This amount would not increase Garden's California 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 August 21, 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, is hereby authorized, on behalf of Garden City Transportation Co., Inc., to publish in its Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15, the amendments as specifically set forth in its application.

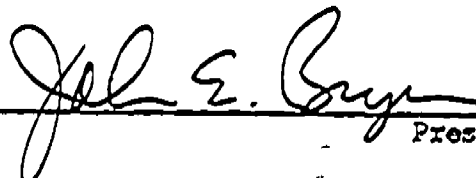
2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and to the public.


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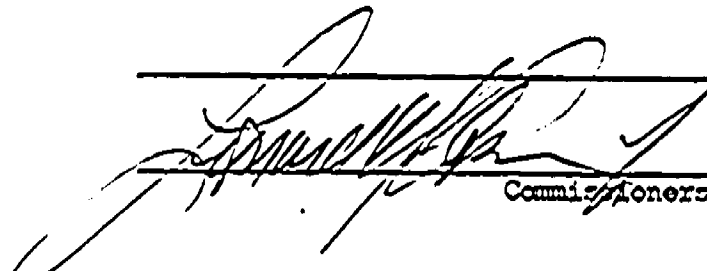
3. The authority granted herein shall expire unless exercised within ninety days after the effective date of this order.

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

Dated OCT 22 1980, at San Francisco, California.

  
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President

  
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Commissioners

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

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