

Decision No. 92732 FEB 18 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor)
Tariff Bureau, Inc., under)
Shortened Procedure Tariff Docket)
for and on behalf of Pacific Motor)
Transport Company and Pacific)
Motor Trucking Company to amend)
Bureau Tariff 111 which results)
in increases.)
_____)

Shortened Procedure
Tariff Docket
Application No. 60033
(Filed October 27, 1980)

OPINION AND ORDER

By this application, Western Motor Tariff Bureau, Inc., Agent, (WMTB) for and on behalf of Pacific Motor Transport Company (Transport) and Pacific Motor Trucking Company (Trucking) requests authority to publish a valuation rule in its Local, Joint and Proportional Freight and Express Tariff 111, Cal. P.U.C. No. 15.

WMTB indicates that Item 780 of the governing classification exempts carriers subject thereto from common carrier liability for "articles of extraordinary value"; however, no definition of extraordinary value is provided in the classification. Transport and Trucking are of the opinion that the "reasonable man" premise will govern as to value, but find it nearly impossible to convince disgruntled shippers that the value of their lost or damaged shipment exceeds the liability limits of Item 780. Conversely, when shippers notify Transport and Trucking of an extraordinary value shipment, the carriers are burdened with additional expenses resulting from special

arrangements with drivers, helpers, and other employees. Absent appropriate tariff provisions, such expenses may not be offset by additional transportation charges. Transport and Trucking are of the opinion that the higher level of charges proposed herein, which are similar to those being assessed by air carriers and household goods movers, more readily reflect their actual cost of transporting extraordinary value merchandise.

WMTB avers that Transport and Trucking estimate that the grant of the proposed charges would increase annual revenue by approximately \$700 for each carrier. In no event would the proposed publication increase the California intrastate gross revenue of Transport or Trucking by 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 November 3, 1980. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that:

- (1) the proposed changes are justified,
- (2) the order which follows will not affect highway carrier energy-efficiency, and
- (3) 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 Pacific Motor Transport Company and Pacific Motor Trucking Company, is

authorized to amend its Local, Joint and Proportional Freight and Express Tariff 111, Cal. P.U.C. No. 15, as proposed 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.

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

FEB 18 1981

Dated _____, at San Francisco, California.

John E. Bayne

President
Richard D. ...

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Commissioners