

ORIGINAL

Decision No. 92734 FEB 18 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Ace City Delivery,)
 Southwest Delivery Services, Inc.,)
 and Rodney J. Roy, d.b.a. Summit)
 Transportation, under Shortened)
 Procedure Tariff Docket to publish)
 provisions resulting in increases)
 because of proposed cancellation)
 of rates in various WMT tariffs.)
)
)

Shortened Procedure
 Tariff Docket
 Application No. 60084
 (Filed November 14, 1980)

OPINION AND ORDER

By this application Western Motor Tariff Bureau, Inc., Agent (WMTB) seeks authority for and on behalf of Ace City Delivery (Ace), Southwest Delivery Services, Inc. (Southwest), and Rodney J. Roy, d.b.a. Summit Transportation (Summit), to cancel their participation from yearly, monthly, weekly and hourly vehicle unit rates published in various WMTB tariffs. The tariffs involved are as follows:

- Local and Proportional Freight and Express Tariff 104-A, CA PUC 23 (WMTB 104-A);
- Local Freight and Express Tariff 106, CA PUC 11 (WMTB 106);
- Local Freight Tariff 113, CA PUC 19 (WMTB 113);
- Local Freight and Express Tariff 127, CA PUC 39 (WMTB 127);
- Tariff WMTB 271, CA PUC 46 (WMTB 271) and
- Tariff WMTB 571, CA PUC 49 (WMTB 571).

WMTB states that the primary intent of Ace and Southwest in cancelling their participation from the hourly rates published in WMTB 113 is to remove obsolete rate items which research has shown no traffic has moved during the past twelve months.

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WMTB indicates that Ace and Southwest also propose to cancel their participation in WMTB 271 covering shipments of new furniture and WMTB 127 covering shipments of fresh fruits and vegetables because again neither carrier is currently transporting shipments of these commodities. According to WMTB if either carrier is called on to transport new furniture or fresh fruits and vegetables, they can assess the class rates published in WMTB's Local, Joint and Proportional Freight and Express Tariff No. 111, CA PUC 15 (WMTB 111).

WMTB alleges that Summit is based in Cerritos and the greater proportion of its business is confined to the Los Angeles Basin Territory, and if called upon to transport shipments within the drayage areas of Oakland, San Diego or San Francisco, it will be able to assess the rates in WMTB 111.

WMTB has been advised by Ace, Southwest, and Summit that in the event the application is granted the proposed changes will not increase the California intrastate gross revenue of any carrier involved as much as one percent. The results of the changes proposed in the application will have no adverse impact on the Commission's transportation energy plan as set forth in Decision 92541. The proposed increase is within the President's wage-price guidelines.

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The application was listed on the Commission's Daily Calendar of November 19, 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.
- (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 is authorized for and on behalf of Ace City Delivery, Southwest Delivery Services, Inc., and Rodney J. Roy, d.b.a. Summit Transportation, to amend its Local and Express Tariff 104-A, CA PUC 23; Local Freight and Express Tariff 106, CA PUC 11; Local Freight Tariff 113, CA PUC 19; Local Freight and Express Tariff 127, CA PUC 39; Tariff WMTB 271 CA PUC 46 and Tariff WMTB 571, CA PUC 49 as proposed in the application.


2. Tariff publications authorized to be made as a result of the order 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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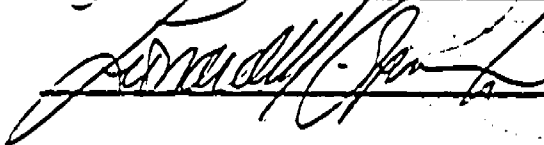
3. The authority granted herein shall expire unless exercised within ninety days after the effective date of this order.

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

Dated FEB 18 1981, at San Francisco, California.



President




Commissioners