

ORIGINAL

Decision No. 92782 MAR 3 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the investigation)
for the purpose of considering and)
determining minimum rates for)
transportation of motor vehicles)
and related items statewide as)
provided in Minimum Rate Tariff)
12-A and the revisions or reissues)
thereof.)

Case No. 5604
Petition for Modification
No. 68
(Filed October 30, 1980)

OPINION AND ORDER

Minimum Rate Tariff 12-A (MRT 12-A) names rates and rules for the transportation of motor vehicles in secondary movement by truckaway service over the public highways within the State of California. By this petition, California Trucking Association (CTA) seeks increases of approximately 3.25 percent on all rates and charges with various exceptions.

CTA states that effective December 1, 1980 significant increases became payable in the major cost element underlying the MRT 12-A datum plane, pursuant to the terms of the contractual labor agreement. CTA also states that on January 1, 1981, a further increase became payable in federal payroll taxes.

The Freight Economics Branch staff of the Commission's Transportation Division has completed an analysis of the cost and rate exhibit prepared and furnished by petitioner. The sought increase is

based on the direct wage offset method of dealing with increased costs stemming from a contractual labor cost increase effective December 1, 1980 and from increased payroll taxes and Workers Compensation Insurance premiums which became payable on January 1, 1981. The increase amounts to 3.25 percent over the rates and surcharge currently in effect. According to petitioner, the proposed increase will create approximately \$1,000,000 additional annual tariff revenue. The staff has contacted Fiat Motors of North America, Nissan Motors Corporation, Toyota Motor Sales - U.S.A., Inc. and Volkswagen of America. None of these shippers have any objection to the proposed increase.

In the absence of protest, the staff recommends that the Commission grant the proposed increased rates and charges by ex parte order.

Findings of Fact

1. The operating cost data underlying the existing levels of MRT 12-A rates and charges reflect increases in cost stemming from a contractual labor cost increase effective December 1, 1980 and from increased payroll taxes and Workers Compensation Insurance premiums which became payable on January 1, 1981.

2. Since the minimum rates in MRT 12-A were last revised and generally adjusted, carriers governed by the provisions of MRT 12-A have incurred further increases in contractual labor costs, payroll taxes and Workers Compensation Insurance premiums.

3. CTA seeks an increase which could approximate three and one-quarter percent, an increase in annual revenue of \$1,000,000.

4. The Commission's Transportation Division staff recommends an increase based upon the direct wage offset procedure which would approximate a 3.25 percent increase and result in additional annual revenue of \$1,000,000.

5. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

6. The increase recommended by the staff has been shown to be justified, and the resulting rates are and for the future will be the just, reasonable, and nondiscriminatory minimum rates for highway carriers governed by the provisions of MRT 12-A.

7. The petition was listed on the Commission's Daily Calendar of November 5, 1980. No objection to the granting of the petition has been received. A public hearing is not necessary.

Conclusions of Law

1. Petition for Modification No. 68 should be granted to the extent provided herein and MRT 12-A amended accordingly.

2. To the extent not granted herein, Petition for Modification No. 68 should be denied.

3. The effective date of this order should be the date of signature because there is an immediate need for the sought relief.

IT IS ORDERED that:

1. Minimum Rate Tariff 12-A (Appendix A to Decision No. 85573, as amended) is further amended by incorporating therein, to become effective twenty-five days after the date hereof, Supplement 13 attached hereto and by this reference made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 85573, as amended, are directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered by this decision.

3. Tariff publications required to be made by common carriers as a result of this order shall be filed not earlier than the effective date of this order and made effective twenty-five days after the date hereof, on not less than five days' notice to the Commission and to the public.

4. Common carriers, in establishing and maintaining the rates authorized by this order, are authorized to depart from the provisions of Section 461.5 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

5. In all other respects, Decision No. 85573, as amended, shall remain in full force and effect.

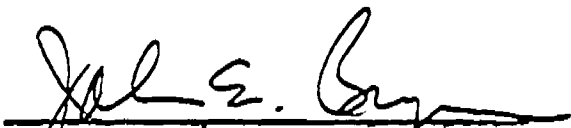
6. To the extent not granted herein, Petition for Modification No. 68 is denied.

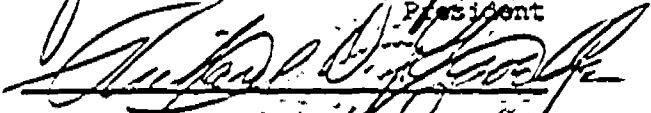
7. The Executive Director shall serve a copy of this decision on every common carrier, or such carriers' authorized tariff publishing agents, performing transportation services subject to Minimum Rate Tariff 12-A.

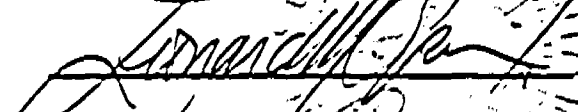
8. The Executive Director shall serve a copy of each of the tariff amendments on each subscriber to Minimum Rate Tariff 12-A.

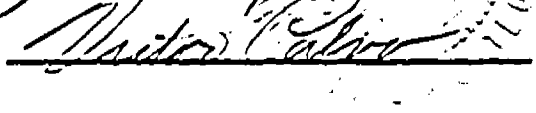
The effective date of this order is the date hereof.

Dated MAR. 3 1987, at San Francisco, California.



President






Commissioners

SURCHARGE SUPPLEMENT

SUPPLEMENT 13
(Cancels Supplement 12)
Supplement 13 Contains All Changes
TO
MINIMUM RATE TARIFF 12-A
HAVING
MINIMUM RATES AND RULES
FOR THE
TRANSPORTATION OF MOTOR VEHICLES
(As described herein)
IN SECONDARY MOVEMENT
BY
TRUCKAWAY SERVICE
OVER THE PUBLIC HIGHWAYS WITHIN THE
STATE OF CALIFORNIA .
BY
HIGHWAY CONTRACT CARRIERS

Decision No.

92782

EFFECTIVE

3/28/81

APPLICATION OF SURCHARGE

Except as otherwise provided, compute the amount of charges in accordance with the rates and rules in this tariff, and increase the amount so computed as follows: (See Exception)

1. By fourteen (14) percent on charges computed at rates provided in Items 120, 130, 140 and 220;
2. By twenty-one and one-half (21-1/2) percent on all other rates and charges.

For purpose of disposing of fractions under provisions hereof, fractions of less than one-half (1/2) cent shall be dropped and fractions on one-half (1/2) cent or greater shall be increased to the next higher whole cent.

EXCEPTION: The surcharge herein shall not apply to:

1. Item 150 - Special Loading and unloading charges;
2. Item 160 - Payment of Advance Charges;
3. Items 180, 190, 200 and 210 - (Railhead-to-railhead charges only);
4. Item 232 - Special C.O.D. Service;
5. Item 235 - Collect on Delivery (C.O.D.) Shipments.

THE END

7762
Increase, Decision No.

2202