

T/EAB/BW

Decision No. 92843

MAR 17 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Willig Freight Lines under Shortened Procedure Tariff Docket for authority to increase rates and charges to the extent outlined herein, as published in Willig Freight Lines Local Tariff No. 5, Cal. P.U.C. No. 5)

Shortened Procedure Tariff Docket Application No. 60216 (Filed January 27, 1981)

-AND-

For authority to depart from the terms of Sections 454 and 491 of the Public Utilities Code when accomplishing proposed publication.)

OPINION AND ORDER

By this application James C. Olsson (Olsson) Consultant, for and on behalf of Willig Freight Lines (Willig) seeks authority to increase rates and charges which will result in a net increase of 2 percent on shipments weighing less than 5,000 pounds and of 2.5 percent on shipments weighing 5,000 pounds but less than 10,000 pounds in Willig's Local Tariff No, 5, Cal P.U.C. No. 5 (Tariff 5).

Olsson states that Western Motor Tariff Bureau, Inc., Agent, (WMTB) requested authority to increase rates by 4 percent in a number of its tariffs in Application 59835 and such authority was granted by the Commission in Decision 92256 dated September 16, 1980. Olsson

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further states that at the time Application 59835 was filed Willig was a party to certain WMTB tariffs but in the interim issued its Tariff 5 and cancelled its rates and charges from WMTB tariffs.

According to Olsson, Decision 92256 did not authorize Willig to increase rates in Tariff 5. Subsequently, Willig applied for and was granted authority to increase all rates and charges by 4 percent under Cal. P.U.C. No. STD-9660. Olsson avers that in exercising this authority Willig only partially exercised the granted authority, and now requests similar relief for Willig to partially increase its rates. Olsson indicates that the facts and circumstances justifying this request are the same as those included in the original request and compounded by the continuing upward spiraling in all components of carriers' costs.

In a letter received from Olsson he states that the proposed increase does not constitute a major action affecting energy efficiency under Sections 3502.1 and 3502.2 of the California Public Utilities Code.

Olsson states that the proposal herein will not increase Willig's California intrastate gross revenue by as much as one percent.

The application was listed on the Commission's Daily Calendar of January 29, 1981. No objection to the granting of the application has been received. A public hearing is not necessary.

Findings of Fact

1. Willig was authorized to increase all rates and charges by four percent under Cal. P.U.C. No. STD-9660.
2. Willig only partially exercised the authorized increases.
3. Increases resulting from the proposal herein are justified.
4. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

Conclusions of Law

1. The proposed rates are just and reasonable and the application should be granted as set forth in the ensuing order.
2. 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. Willig Freight Lines is authorized to increase its rates and charges in its Local Tariff No. 5, Cal. P.U.C. No. 5, 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 to the public.

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The effective date of this order is the date hereof.

Dated MAR 17 1981, at San Francisco, California.

John E. Bayan
President
Richard W. Gault
Samuel W. Jensen
Victor Calvo

Commissioners