

ORIGINAL

Decision No. 93003 MAY 5 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application )  
of Western Motor Tariff Bureau, )  
Inc., Agent, for authority to )  
increase rates and charges in )  
Western Motor Tariff Bureau )  
Tariffs Nos. 16, 18 and 19 con- )  
taining rates of common carriers )  
for the transportation of com- )  
modities and the performance of )  
specified services related )  
thereto. )

Application No. 60304  
(Filed February 27, 1981)

OPINION AND ORDER

By this application Western Motor Tariff Bureau, Inc., Agent, (WMTB) seeks authority to publish increases in the following (WMTB) Tariffs.

- |                    |                    |   |
|--------------------|--------------------|---|
| WMTB Tariff No. 16 | Cal. P.U.C. No. 20 | Liquefied Petroleum Gases in Bulk                   |
| WMTB Tariff No. 18 | Cal. P.U.C. No. 24 | Petroleum and Petroleum other than Asphalt, in Bulk |
| WMTB Tariff No. 19 | Cal. P.U.C. No. 26 | Asphalt Emulsion, Liquid Asphalt, Road Oil, in Bulk |

The last increases authorized for these tariffs were established based upon cost data submitted in Case 5436 (Petition 298). Decision 92009, dated July 2, 1980, in that proceeding authorized common carriers to establish amendments necessary to conform with the

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adjustments ordered for Minimum Rate Tariff 6-B. The increases were for labor, labor-related expenses and equipment costs being experienced at that time.

The Commission, in Decision 91861, dated June 3, 1980 in Case 5436 (Order Setting Hearing No. 244), adopted a regulatory system of carrier-filed rates in lieu of the then minimum rate system. The decision provided for the subsequent cancellation of Minimum Rate Tariffs 6-B and 13. Implementation of the reregulation program on traffic governed by the cancelled tariffs was then administered through Transition Tariffs 6-B and 13. Transition Tariffs 6-B and 13 do not function as minimum rate tariffs but serve as a threshold for rate justification requirements.

Therefore WMTB is filing this application for increases for the individual participants in their tariffs. WMTB cites consumer price indexes to establish the need for an increase in rates. Data were prepared based upon the income statements of carriers who provided over sixty percent of the revenues earned under WMTB Tariffs Nos. 16, and 19. These carriers experienced an operating ratio of 100.6 for the year ending September 30, 1980.

WMTB is seeking a permissive 6 percent rate increase. If all participants in the tariffs in issue took the full increase authorized, the revenue increase would approximate \$3.4 million.

The application seeks immediate permissive authority to enable these carriers to achieve rate relief necessary to continue to provide the needed levels of service.

WMTB does not believe that the requested rate relief is a major action significantly affecting energy efficiency within the meaning of Sections 3502.1 and 3502.2 of the Public Utilities Code.

Findings of Fact:

1. WMTB operates as a rate bureau pursuant to Public Utilities Code Section 496.

2. WMTB seeks to publish a six percent increase in its rates and charges in its WMTB Tariffs Nos. 16, 18 and 19.

3. The increases are needed to offset cost increases now being incurred by carriers providing service under WMTB Tariff Nos. 16, 18 and 19. The sought increases have not been recovered by any prior rate increase application.

4. The cost data submitted with the application show the carriers as a group are now operating at a loss while their expenses continue to increase. If every participating carrier was to apply the full amount of the authorized rate increase \$3.4 million would be added to the annual revenues of the carriers.

5. Analysis of the application and the detailed financial data submitted demonstrates that the granting of the increase is cost-

justified and should result in reducing the losses and would develop an operating ratio of 98.6 for the "composite group" presenting the data.

6. Notice of the filing of the application appeared on the Commission's Daily Calendar of March 5, 1981.

7. No protests have been received.

8. Since there is an immediate need for this rate relief the order which follows should be made effective on the date of signature.

9. The following order fully complies with the guidelines in the Commission's energy efficiency plan.

Conclusions of Law:

(1) The application should be granted to the extent as set forth in the ensuing order.

(2) The order should be effective on the date signed because there is an immediate need for rate relief.

(3) In order that carriers may make the rate increases effective as soon as possible limited authority to depart from the provisions of Section 461.5 of the Public Utilities Code and the rules of General Order 80-Series should be granted.

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., Agent is authorized to publish increases on behalf of the individual carriers

participating in its Western Motor Tariff Bureau Tariffs Nos. 16, 18 and 19, Cal. P.U.C. Nos. 20, 24 and 26, respectively.

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 on not less than five days' notice to the Commission and to the public.

3. Western Motor Tariff Bureau, Inc., Agent in establishing and maintaining the rates authorized by this order, is 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.

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4. Western Motor Tariff Bureau, Inc., Agent is authorized to depart from the Commission's tariff circular requirements only to the extent necessary in establishing the rates and charges authorized by this order.

The effective date of this order is the date hereof.

Dated MAY 5 1981, at San Francisco, California.

John E. Byrne  
President  
Richard W. Stanley  
Samuel M. ...  
Victor ...  
Francesca C. ...  
Commissioners