

ORIGINAL

Decision 93024 MAY 5 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Walton Distribution Services, Inc. )  
 seeking authority to publish tariff )  
 provisions resulting in increases )  
 because of the proposed transfer of )  
 applicant's rates to Western Motor )  
 Tariff Bureau, Inc. from another )  
 tariff bureau. )

Application 60380  
(Filed March 20, 1981)

INTERIM OPINION AND ORDER

By this application, Walton Distribution Services, Inc. (Walton), seeks authority to transfer its participation from tariffs issued by the Pacific Motor Tariff Bureau to tariffs published by the Western Motor Tariff Bureau, Inc., Agent (WMTB).

Walton proposes to be made a party to the following tariffs issued by WMTB:

- (a) Scope of Operations and Participating Carrier No. 100, Cal. P.U.C. No. 3;
- (b) Local, Joint and Proportional Freight and Express Tariff No. 111, Cal. P.U.C. No. 15;
- (c) Local Freight Tariff No. 113, Cal. P.U.C. No. 19;
- (d) Exception Sheet No. 1-B, Cal. P.U.C. No. 34;
- (e) Participating Carrier Tariff WMT 171, Cal. P.U.C. No. 45; and
- (f) Participating Carrier Tariff WMT 860, Cal. P.U.C. No. 44.

Walton by participating in the WMTB tariffs for the transportation of general commodities statewide will be able to increase its rates by 11 percent.<sup>1/</sup> Walton operates as a highway common carrier performing similar services and has experienced the same cost increases as the "composite group" which WMTB utilized in its exhibits supporting a need for increases (A.59835 and A.60265). WMTB, in A.60165, sought increases totaling 11 percent. The Commission in an interim order authorized a permissive increase of seven percent for the participating carriers. The application cost-justified this amount and a hearing is to be scheduled to determine the reasonableness of the additional 4 percent being sought.

Walton has submitted financial data which project a loss accruing for operations performed during the calendar year 1980. Supporting the reasonableness of the increase which will accrue to Walton based upon the transfer of its tariff participation, Walton has submitted projected revenue and cost data with the full WMTB fifteen percent increase applied. This data projects an operating ratio of 96.3 based upon the full 15 percent increase being realized. The annual revenue on intrastate traffic would increase by \$83,377.

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<sup>1/</sup> Decision 92256, dated September 16, 1980 in Application 59835 -  
4 percent.  
Decision 98829, dated March 17, 1981 in Application 60165 -  
7 percent.

Walton states, "(T)his proposal is not considered to be a major action significantly affecting energy efficiency within the meaning of Sections 3501.1 and 3502.2 of the Public Utilities Code."

Findings of Fact

1. Walton is a highway common carrier operating under authority granted by this Commission in Decision 79454, Application 52781.

2. Walton seeks to transfer its tariff participation to those published by WMTB for the transportation of general commodities.

3. The transfer will enable Walton to realize increases in its rates and charges to the levels published in the WMTB tariffs.

4. Walton has submitted financial data which details its need for this rate relief.

5. Walton is seeking rate increases in excess of that authorized in the WMTB tariffs in which it is seeking to participate.

6. Interim authority should be granted to Walton with a hold down on increases to the level authorized to WMTB.

7. Walton's application should be joined with WMTB's (A.60165) for a public hearing on the reasonableness of the full increase being sought.

8. Analysis of the data submitted with the application indicates that this interim increase could yield an additional \$61,133 in additional annual revenue to Walton.

9. Notice of the filing of the application appeared on the Commission's Daily Calendar of March 24, 1981.

10. No protests have been received.
11. Limited authority to depart from the provisions of Section 461.5 of the Public Utilities Code should be granted.
12. Limited authority to depart from the terms and rules of General Order 80-Series should be granted.
13. Since Walton is already experiencing some of the increased operating costs, the interim order which follows should be made effective on the date of signature.
14. The following order has no reasonably foreseeable impact on the energy efficiency of highway carriers.

Conclusion of Law:

The application should be granted to the extent set forth in the ensuing order and the effective date of the order should be on the date signed because there is an immediate need for the rate relief.

IT IS ORDERED that:

1. Walton Distribution Services, Inc., is authorized to cancel its participation in tariffs issued by the Pacific Motor Tariff Bureau and have its participation added to certain tariffs published by Western Motor Tariff Bureau, Inc., Agent, as specifically proposed in the application.
2. Walton Distribution Services, Inc. is authorized to increase its rates and charges by 11 percent.

3. Walton Distribution Services, Inc.'s application for the additional 4 percent increase shall be joined with Western Motor Tariff Bureau, Inc.'s request, A. 60165, which will go to public hearing.

4. 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.

5. 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.

6. 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.

