

ORIGINAL

JUL 22 1981

Decision 93334

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff )  
Bureau, Inc., under Shortened Proce- )  
dure Tariff Docket to publish for )  
and on behalf of Union Terminal Ware- )  
house, Inc. provisions resulting in )  
increases because of the publication )  
of an exception to classification )  
provisions. )

Shortened Procedure Tariff  
Docket  
Application 60501  
(Filed April 30, 1981)

O P I N I O N

By this application, Western Motor Tariff Bureau, Inc., Agent, (WMTB), seeks on behalf of Union Terminal Warehouse, Inc. (Union), to publish truckload exception rating of Class 70 with minimum weight of 36,000 pounds on cigarettes, tobacco, with paper wrappers, in WMTB Exception Sheet 1-B, Cal. P.U.C. 34.

Applicant declares that the National Motor Freight Classification NMF 100-H provides a truckload rating of Class 50 on cigarettes. Prior to SB 860, Union was on record with its shippers that Class 70 would apply on truckload shipments of cigarettes. When adopting the Commission's transition tariffs, this exception was not provided for in the adoption notice.

Effective May 6, 1981, Union canceled its adoption of the Commission's transition tariffs and became a participating carrier to WMTB tariffs. However, Union now desires to reinstate the Class 70 exception rating on cigarettes.

Applicant declares that Union has advised that this proposal will not increase its California intrastate gross revenue by as much as one percent. Cigarette shippers have not been using Union's services, and insofar as Union's knowledge goes, the proposed publication will not be opposed by any shipper.

The proposal is not considered to be a major action significantly affecting energy efficiency within the meaning of Sections 3502.1 and 3502.2 of the Public Utilities Code.

The application was listed on the Commission's Daily Calendar of May 4, 1981. No objection to the granting of the application has been received. A public hearing is not necessary.

Findings of Fact

1. The proposed publication will not affect carrier's revenue as it is not transporting truckload shipments of cigarettes.
2. The following order complies with the guidelines in the Commission's Energy Efficiency Plan.
3. A public hearing is not necessary.

Conclusion of Law

The rate increase resulting from the proposed publication is justified.

O R D E R

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., Agent, is authorized on behalf of Union Terminal Warehouse, Inc., to add an exception rating on cigarettes to its Exception Sheet 1-B, Cal. P.U.C. 34 as specifically proposed in the application.

2. Tariff publication authorized to be made as a result of this order shall be filed not earlier than the effective date of this order and may be made effective not earlier than 5 days after the effective date of this order on not less than 5 days' notice to the Commission and to the public.

3. The authority granted herein shall expire unless exercised within 90 days after the effective date of this order.

This order becomes effective 30 days from today.

Dated JUL 22 1981, at San Francisco, California.

John E. Bryan  
President  
Richard D. Hooley  
Edward W. Kinnick  
Victor Colver  
Prudence C. Hens  
Commissioners