

Decision 93400 AUG 4 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Western Motor Tariff)
Bureau, Inc., under the Shortened)
Procedure Tariff Docket to publish)
for and on behalf of Salinas)
Valley-Santa Cruz Motor Express,)
provisions resulting in increases)
because of the publication of a)
rule providing charges for)
detention on other than truck-load)
shipments.)

Shortened Procedure
Tariff Docket
Application 60443
(Filed April 13, 1981;
amended June 22, 1981)

OPINION

By this application, as amended, Western Motor Tariff Bureau, Inc., Agent (WMTB) for and on behalf of Salinas Valley-Santa Cruz Motor Express (Salinas), requests authority to amend Item 502 (Detention-Other than Truckload) in WMTB Tariff WMT 170, Cal. P.U.C. 51 by adding Salinas to the list of carriers to which Item 502 applies. By Salinas becoming a party to this item WMTB alleges that Salinas will be able to recover some of the out-of-pocket costs now being sustained by delays to carrier's equipment involving shipments of less than 10,000 pounds.

WMTB states that for truckload shipments Item 500 of WMT 170 provides a rule for delays to equipment whenever (after actual placement of a unit of equipment) the elapsed time between commencement and completion of the loading or unloading of shipments subject to a minimum weight of 10,000 pounds or more exceeds 8 minutes per ton.

WMTB states that the delays to equipment involving shipments of less than 10,000 pounds have been increasing for Salinas and the delays are an expense for both less than and more than 10,000-pound shipments.

According to WMTB Salinas is of the opinion that publication of a rule covering delays to equipment as proposed is necessary. WMTB points out that delays tend to be cumulative, causing inconvenient delays to other shippers who have freight on the same equipment for later delivery the same day.

WMTB indicates that Salinas is aware that the assessment of a charge itself will not prevent overtime nor preclude inconvenient delays to other shippers; however, past experience has revealed that, by assessing an additional charge, shippers are reluctant to demand special services. Assessment charges will penalize only those shippers or consignees that exceed the allowed free time that is in excess of 25 minutes or more depending upon the actual weight of the shipment loaded or unloaded.

Salinas estimates that the dollar amount of revenue increase resulting from the proposal could approximate \$2,400. WMTB has been advised by Salinas that in the event the application is granted the proposed changes will not increase the California intrastate gross revenue of Salinas by as much as 1%.

The application and amendment were listed on the Commission's Daily Calendar of April 15, and June 24, 1981, respectively. No objection to the granting of the application, as amended, have been received.

Findings of Fact

1. The proposed new item for Salinas covers services which require the expenditure of additional time and expense to the carrier which have not been considered in the determination of the current rates and charges.

2. The proposed new item for Salinas will return some of the costs of providing these additional services.

3. The following order has no reasonably foreseeable impact on the energy efficiency of highway carriers.

4. Since the carrier is already experiencing the increased operating costs, the order which follows should be made effective on the date of signature.

5. A public hearing is not necessary.

Conclusions of Law

1. The rate increases resulting from the proposed publication of a rule providing charges for detention on other than truck-load shipments are justified.

2. The tariff changes are reasonable and the application should be granted as set forth in the ensuing order.

ORDER

IT IS ORDERED that:

1. Western Motor Tariff Bureau, Inc., Agent, on behalf of Salinas Valley-Santa Cruz Motor Express is authorized to amend its Tariff WMT 170, Cal. P.U.C. 51 as specifically proposed in the application.

2. Tariff publications 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 shall expire unless exercised within 90 days after the effective date of this order.

This order is effective today.

Dated AUG 4 1981, at San Francisco, California.

John E. Cayro
President
Richard W. Hoyle
Thomas W. Quinn
Victor Calvo
Raymond C. Green
Commissioners