

AUG 18 1981

ORIGINAL

Decision 93453

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Westcoast Motor Tariff Bureau Inc.,)
 Agent, for authority to increase)
 rates in its tariffs filed with)
 your Commission as Cal. PUC Nos. 1)
 through 9 containing rates, rules)
 and regulations of common carriers)
 for the transportation of commodi-)
 ties and performance of services)
 specified therein.)

Application 60688
 (Filed June 26, 1981;
 amended July 8, 1981)

O P I N I O N

By this application, Westcoast Motor Tariff Bureau, Inc. (Westcoast) seeks authority under Public Utilities (PU) Code Sections 454 and 456 to publish general increases in its tariffs.^{1/} By amendment Westcoast has withdrawn its request to increase rates in its Fresh Produce Tariff No. 1 and Bulk Agricultural Tariff No. 1, Cal. P.U.C. Nos. 6 and 8, respectively.

Westcoast operates as a rate bureau under Decision (D.) 89288 issued August 22, 1978 in Application 58157. The tariffs subject to this application provide class and commodity rates for the movement of general commodities formerly subject

<u>1/</u>	<u>Westcoast Tariff No.</u>	<u>Tariff Description</u>	<u>Cal. P.U.C.No.</u>
	1	Exception Ratings	1
	1	East Bay	2
	1	Local and Joint Freight	3
	1	City and County of San Francisco	4
	1	Unit Rate	5
	1	San Diego	7
	1	Uncrated New Furniture	9

to Commission minimum rate tariffs. Approximately 145 highway common carriers participate in the Westcoast tariffs.

Westcoast in seeking the increase for its members alleges that the increase being sought is based on: (1) increase in labor costs in accordance with the terms of collective bargaining agreements to which many of its member carriers are party; and (2) increases being experienced upon revenue equipment, building/ office equipment rents, insurance, utilities, communication, and operating supplies. Recognizing that an agreement for Westcoast's operations accords to each party participating in its tariffs free and unrestrained right to independent action, we will make increases granted in the following order permissive.

Staff analysis of the application has found that applicant's data ^{2/} support the carrier's contentions for additional revenue needs. These data justify an 11% permissive increase to the participants of applicant's general commodity tariffs. Applicant intends to fold into the Local and Joint Freight Tariff No. 1 the existing surcharges therein, and apply the 11% as a surcharge to this tariff and the other general commodity tariffs subject to this application.

2/ Applicant's data rate based upon the balance sheets and income statements obtained from tariff participants who derive 80% or more of their revenues from the tariffs which applicant is seeking to increase. The total gross operating revenue of this composite group (17) for the year 1980 was \$18,151,839.

This 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 PU Code.

Findings of Fact

1. Westcoast is a rate bureau under PU Code Section 496.
2. Westcoast seeks to publish increases in its Cal. P.U.C. 2, 3, 4, 5, 7 and 9 Tariffs.
3. The increases are needed to offset cost increases now being incurred by highway common carriers parties to the tariffs. The sought increases have not been covered by any prior rate increase application.
4. The tariffs now contain rates and charges generally on the same levels as the related Commission Transition Tariffs.
5. The transition tariffs and Westcoast tariffs in issue reflect the cost level generally experienced by motor carriers of general commodities in effect on April 1, 1980.
6. The carriers subject to the rates in the Westcoast tariffs in issue have experienced substantial increases in their labor and fringe benefit costs, operation and maintenance expenses, fuel costs and indirect costs since April 1, 1980.
7. An increase of 11% is cost-supportive and consistent with the Commission's carrier-made rate program enunciated in D.90816.

8. The increases sought by Westcoast on behalf of the individual common carriers participating in the Westcoast tariffs in issue are justified.

9. Westcoast intends to publish the increases as surcharges to the tariffs and to incorporate other outstanding surcharges into specific rates and charges in its Local and Joint Freight Tariff No. 1.

10. Notice of the application and amendment appeared on the Commission's Daily Calendars of July 1 and 10, 1981. No objections to the granting of the application as amended have been received.

11. Since the carriers are already experiencing the increased operating costs, the order which follows should be made effective on the date of signature.

12. A public hearing is not necessary.

13. Limited authority to depart from the provisions of Section 461.5 should be granted.

14. Limited authority to depart from the terms and rules of General Order Series 80 should be granted.

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

Conclusion of Law

The application should be granted as provided in the ensuing order.

O R D E R

IT IS ORDERED that:

1. Westcoast Motor Tariff Bureau, Inc., Agent, is authorized to publish surcharge increases as sought on behalf of the individual carriers participating in their tariffs enumerated in Application 60688, as amended.

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

3. Westcoast Motor Tariff Bureau, Inc., Agent, in establishing and maintaining the rates authorized by this order, is authorized to depart from the provisions of PU Code Section 461.5 to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are 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.

A.60688 T/HEC/ARM/WPSC

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

This order is effective today.

Dated AUG 18 1981, at San Francisco, California.

John E. Byrne
President
Richard D. Gaddy
Thomas W. Smith
Walter C. ...
Prudence C. ...
Commissioners