

M-9

State of California

Public Utilities Commission
San Francisco

MEMORANDUM

Date : April 23, 1990
To : COMMISSIONERS
(For Regular Meeting of May 4, 1990)
From : *WMF*
Wesley M. Franklin
Assistant Executive Director

File No.:

Subject : Level of Transportation Rate Fund Fee to be
Imposed for Fiscal Year 1990-91

RECOMMENDATION: The Commission should fix the captioned fee as follows:

One-tenth of one percent (.001) of gross operating revenue for highway carriers of property whose rates are not regulated by the Commission, and two-tenths of one percent (.002) of gross operating revenue for highway carriers of property whose rates are regulated.

BACKGROUND: Pursuant to Section 5003.1 of the Public Utilities Code, every express corporation, freight forwarder, motor transportation broker and highway carrier subject to the jurisdiction of this Commission must, on a quarterly basis, file a report of gross operating revenue and pay to the Commission a fee equal to not more than one-third of one percent of its gross operating revenue (in addition to a base quarterly fee of \$10.00). Public Utilities Code Section 5003.2 (amended 1988, Chapter 375) requires all highway carriers of property for whom the Commission does not establish minimum rates, or require rates to be on file with the Commission, to pay a fee equal to 1/10 of 1% of the amount of gross operating revenue.

The staff's recommendation will continue the fee at the same levels fixed for the current (1989-90) fiscal year. Pursuant to Public Utilities Code Section 5003.1 (a), the proposed 1990-91 fee levels have been approved by the Department of Finance. A proposed Resolution and detailed fund condition statement are attached.

Attachments (2)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. H-4756

(RESOLUTION ADOPTING LEVEL OF TRANSPORTATION)
(RATE FUND FEE THAT SHOULD BE IMPOSED)
(FOR FISCAL YEAR 1990-91)

Public Utilities Code Section 5003.1 provides that:

"Every express corporation, freight forwarder, motor transportation broker, and every person or corporation owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Commission shall...pay to the Commission a fee equal to one-third of one percent of the amount of such gross operating revenue; provided, however, that for any particular fiscal year the Commission, with the approval of the Department of Finance, may fix said fee at less than one-third of one percent of said amount."

Section 5003.2 (amended 1988, Chapter 375) of the PU Code further provides that:

"(a) Notwithstanding Section 5003.1, the Commission shall require every highway carrier otherwise subject to Section 5003.1 for whom the Commission does not establish minimum rates, or require rates to be on file with the Commission, to pay a fee equal to 1/10 of 1 percent of the amount of gross operating revenue.
(b) The Commission may raise the fee imposed by Section 5003.1 upon those persons and corporations subject to that section for whom the Commission establishes minimum rates or requires rates to be on file, up to a maximum of one-half of 1 percent of gross operating revenue, if the Commission decides this increase is necessary to maintain adequate financing for the Transportation Rate Fund."

The Commission finds that for fiscal year 1990-91, the Transportation Rate Fund fee should be fixed as follows:

One-tenth of one percent (.001) of gross operating revenue for highway carriers of property for whom the Commission does not establish minimum rates or require rates to be on file with the Commission, and two-tenths (.002) of gross operating revenue for highway carriers of property for whom the Commission establishes minimum rates or requires rates to be on file with the Commission.

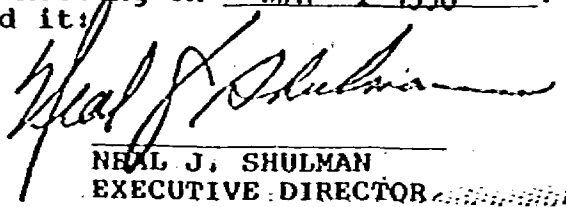
IT IS ORDERED THAT:

For the fiscal year 1990-91, the fee provided for in Public Utilities Code Sections 5003.1 and 5003.2 is hereby fixed at the following level:

One-tenth of one percent (.001) of gross operating revenue for highway carriers of property for whom the Commission does not establish minimum rates or require rates to be on file with the Commission, and two-tenths of one percent (.002) of gross operating revenue for highway carriers of property for whom the Commission establishes minimum rates or requires rates to be on file with the Commission.

I certify that this resolution was adopted by the Public Utilities Commission at its regular Meeting on MAY 4 1990.
The following Commissioners approved it:

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners


NEAL J. SHULMAN
EXECUTIVE DIRECTOR

1990-91 Fund Condition

412 - TRANSPORTATION RATE FUND

Actual Reserve, June 30, 1989	\$18,612,751
Estimated 1989-90 Revenues	
Quarterly Fees	\$10,443,000
Penalties	377,000
Regulatory Licenses and Filing Fees	1,824,000
Sale of Documents	63,000
Income from Surplus Money Investment Fund	827,000
Miscellaneous	3,000
Total, Revenues	\$13,537,000
Total Resources	\$32,149,751
1989-90 Expenditures:	
Public Utilities Commission (1990-91 Governor's Budget)	\$19,205,000
Estimated Reserve, June 30, 1990	\$12,944,751
Estimated 1990-91 Revenues	
Quarterly Fees	\$10,443,000
Penalties	377,000
Regulatory Licenses and Filing Fees	2,224,000
Sale of Documents	63,000
Income from Surplus Money Investment Fund	827,000
Miscellaneous	3,000
Total, Revenues	\$13,937,000
Total Resources	\$26,881,751
1990-91 Expenditures:	
Public Utilities Commission (1990-91 Governor's Budget)	\$20,489,000
Estimated 1990-91 Employee Compensation Adjustment	303,000
Total, Expenditures	\$20,792,000
Estimated Reserve, June 30, 1991	\$6,089,751