

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TS-678
Transportation Division

(RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR)
 (TO GRANT APPROVAL OF RATE INCREASE)
 (APPLICATIONS OF HIGHWAY COMMON CARRIERS)
 (FREIGHT FORWARDERS)
 (AND EXPRESS CORPORATIONS)

Section 454(b) of the Public Utilities Code provides that the Commission may establish such rules as it considers reasonable and proper for each class of public utility regarding the nature of increases and the procedures to be followed in their consideration.

Rate increase applications of highway common carriers, freight forwarders and express corporations may be granted on an ex-parte basis in the absence of protests.

If clear and uniform standards are established for the approval of such common carrier rate increases, the authority to grant such requests in the absence of protests would be a ministerial function which may be delegated to the Executive Director.

Findings of Fact

1. The grant of rate increase applications of individual highway common carriers, freight forwarders and express corporations which meet specific standards of reasonableness and justification as established by the Commission, in the absence of protest or request for public hearing, are ministerial functions which do not require judgmental determination by the Commission.
2. Uncontested increases in the rates of highway common carriers, freight forwarders and express corporations which will result in an operating ratio of 90 or higher are justified.

Conclusion of Law

Individual carrier applications for rate increases which meet the standards set forth in the following ordering paragraphs should be delegated to the Executive Director.

IT IS ORDERED that:

1. The Executive Director is authorized to grant applications for rate increases by highway common carriers, freight forwarders and express corporations where the applications are in compliance with the Commission's Rules of Practice and Procedure and General Orders and the following standards are met:
 - A. The proposed increases when combined with any previously granted rate increase authority would result in an operating ratio of ninety (90) or higher for California intrastate operations;
 - B. No outstanding protest to the application is on file; and
 - C. The application has not been filed under authority granted pursuant to Section 496 of the Public Utilities Code.
2. In the exercise of the authority granted, the Executive Director is authorized to find that the increase resulting from the proposal is justified and that maintaining outstanding departures from Section 461.5 of the Public Utilities Code is justified.
3. The Executive Director may grant relief from Section 491 of the Public Utilities Code to allow short notice for tariff publications for rate increases authorized under this resolution.
4. Each such order shall recite that it was issued pursuant to this resolution.
5. Each such order, when signed and filed by the Executive Director, shall be deemed to be the order of the Commission.

This resolution is effective today.

I hereby certify that the foregoing Resolution was duly introduced, passed and adopted at a regular meeting of the Public Utilities Commission of the State of California, held on
APR 22 1987

The following Commissioners approved it.

STANLEY W. HULETT
 President
 DONALD VIAL
 FREDERICK R. DUDA
 G. MITCHELL WILK
 JOHN B. OHANIAN
 Commissioners



Executive Director