

Mr. TIERNEY. Right now, on this business of tariff simplification, there is a study being conducted. The forum being used is the Transportation Association of America in which the Commission, other Commissions, the Department of Transportation, and industry are participating.

Mrs. HECKLER. Is it your opinion that the law, as it presently stands on the books, is needlessly complicated?

Mr. TIERNEY. With reference to—

Mrs. HECKLER. Rates.

Mr. TIERNEY. To rates?

Mrs. HECKLER. Rate change procedures.

Mr. TIERNEY. I think the law is very broad with respect to rates. Complicating the thing, of course, is the fact that so many rates in many instances are filed and are on file.

Mrs. HECKLER. This actually means that you have a wide area of discretion within the Commission to simplify procedures; is that right?

Mr. TIERNEY. When you get into the publication of rates, I would say no. As to the requirement that they all be published and open and every time a carrier wants to establish a new rate, I don't think we have any discretion as to that requirement.

Mrs. HECKLER. Beyond the question of the publication of the rates, concerning the structuring of the rates, if you wish to simplify the procedures, according to what I interpret as your answer, you have quite a bit of discretion, or the Commission does, that you could exercise as a matter of your own internal regulation; is that not so?

Mr. TIERNEY. Rates involving carriers that are not under our jurisdiction require a combined effort on the part of not only our Commission but the CAB and the FMC and industry itself.

Mrs. HECKLER. What is the nature of the preliminary study that you are making in this area?

Mr. TIERNEY. The study is directed toward the simplification of tariffs, and eventually being able to put them on computers.

Mrs. HECKLER. What steps have you taken to conduct this study? In other words, how are you doing it?

Mr. TIERNEY. It is being done now. It is at a preliminary discussion stage, and very preliminary at this particular point. The attempt is to get everybody together and communicating on it.

Mrs. HECKLER. What is the average time devoted to a rate change proceeding by the ICC, for example, a motor carrier or rail hearing or pipeline?

Mr. TIERNEY. We are required under the act generally to dispose of a case within 7 months.

Mr. CORBIN. Generally the average runs a little less than 7 months, but if I might just address myself to one other side, Mrs. Heckler, I think that what the motor carriers you were listening to didn't point out was the fact that they published thousands upon thousands of rates to which there are no protests and they go into effect automatically on the effective date. It is only a small portion of the rates that are published that are actually protested and suspended and then we have a formal proceeding on them.

Mrs. HECKLER. Mr. Chairman, will you furnish for the record statistics indicating the number of cases or petitions pending before the