

ORIGINAL

Decision No. 44413

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation	)	
into the rates, rules, regulations,	)	
charges, allowances and practices of	)	Case No. 4808
all common carriers, highway carriers	)	
and city carriers relating to the	)	
transportation of property.	)	

SUPPLEMENTAL OPINION AND ORDER

Highway Carriers' Tariff No. 2 (Appendix "D" to Decision No. 31606 in Case No. 4246, as amended) provides state-wide minimum rates for the transportation of general commodities by common, radial highway common and highway contract carriers. Certain commodities, including designated field seeds, are exempt from these rates. By petition filed June 1, 1950, Oil Seed Products Co., of Fresno, seeks the exemption of safflower seed.

The verified petition shows that safflower seed is a new California crop; that cotton, soybean and mustard seeds are among the field seeds now exempt from the minimum rates; that products of safflower seed are competitive with products of cotton, soybean and mustard seeds and are subject to the same rates; and that growers and processors of safflower seed are disadvantaged by that commodity being subject to the minimum rates while competitive seeds are not.

Shipper and carrier representatives have been notified. No objections have been offered.

The sought exemption of safflower seed from the minimum rates has been justified and will be granted. A public hearing is not necessary.

Therefore, good cause appearing,

SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)

APPLICATION OF TARIFF - COMMODITIES  
(Concluded)  
(Items Nos. 40 and 41 series)

NOTE 1.-Includes only used empty carriers which are returning from an outbound paying load of traffic for which rates are not provided in this tariff, or which are being forwarded for a return paying load of traffic for which rates are not provided in this tariff (subject to Rule No. 130 of the Exception Sheet).

NOTE 2.-Exemption applies only when commodities flagged subject to this note are shipped in milk shipping cans, in bottles in cases or crates, or in bulk in tanks.

NOTE 3.-Exemption applies only when the distance between point of origin and destination does not exceed 35 miles, computed in accordance with the provisions of Item No. 100 series.

NOTE 4.-Exemption applies only as to dried fruit in the natural state and which has not been cleaned, washed, stemmed or otherwise prepared or partially prepared for human consumption.

NOTE 5.-Exemption does not apply to sea shells as described in Item No. 652<sup>1</sup>/<sub>2</sub> series.

NOTE 6.-Exemption applies only to field seeds, viz.:

\*41-K  
Cancels  
41-J

- |  |                                       |
|--|---------------------------------------|
| Adzuki,                                | Molasses grass,                       |
| Alfalfa,                               | Mustard(except wild mustard),         |
| Bahia grass,                           | Napier grass,                         |
| Bean, field, horse, lima, mat or mung, | Oatgrass, tall,                       |
| Beet, field or sugar,                  | Orchard grass,                        |
| Bentgrass,                             | Pea, Austrian winter, Canadian field, |
| Bermuda grass,                         | Tangier or wedge,                     |
| Bluegrass,                             | Popcorn,                              |
| Bluestem,                              | Proso,                                |
| Brome, bunch or smooth,                | Redtop,                               |
| Carpet grass,                          | Reed canary grass,                    |
| Chick pea (garbanzo),                  | Rescue grass,                         |
| Clover (except sweet clover),          | Rhodes grass,                         |
| Creeping bent,                         | Ryegrass,                             |
| Dallis grass,                          | Safflower,                            |
| Dog's-tail, crested,                   | Sainfoin,                             |
| Dolichos,                              | Sand dropseed,                        |
| Fenugreek,                             | Scabania,                             |
| Fescue grass,                          | Soybean,                              |
| Foxtail, meadow,                       | Sudan grass,                          |
| Guar,                                  | Sweet vernalgrass,                    |
| Guinea grass,                          | Timothy,                              |
| Harding grass,                         | Velvet bean,                          |
| Kudzu,                                 | Velvet bent,                          |
| Lespedeza,                             | Velvet grass,                         |
| Lupine,                                | Wheatgrass, crested or slender.       |
| Medic, black,                          |                                       |

NOTE 7.-Exemption will not apply to transportation for which rates are provided in Items Nos. 657 and 658 series.

NOTE 8.-Exemption will not apply to transportation for which rates are provided in Items Nos. 315 and 605 series.

NOTE 9.-Exemption will not apply to transportation of cement, portland (building),

(a) Between points in California generally south of the following boundary, viz.: Beginning at the shoreline of the Pacific Ocean due south of Gaviota, thence northeasterly along a straight line to the point at which the boundaries of Santa Barbara, Ventura and Kern Counties intersect, easterly along the northerly boundary of Ventura and Los Angeles Counties to a point due south of the community of Tehachapi, due north to Tehachapi, northeasterly along a straight line from Tehachapi to the point at which Highway U. S. 395 intersects the northerly boundary of Kern County, thence easterly along the northerly boundary of Kern and San Bernardino Counties to the California-Nevada Line; or

(b) Between points in California generally north of the following boundary, viz.: Beginning at the shoreline of the Pacific Ocean due south of Gaviota, thence northeasterly along a straight line to the point at which the boundaries of Santa Barbara, Ventura and Kern Counties intersect, easterly along the northerly boundary of Ventura and Los Angeles Counties to a point due south of the community of Tehachapi, thence northeasterly along a straight line to the point at which Highway U. S. 395 intersects the northerly boundary of Kern County, thence easterly along the northerly boundary of Kern and San Bernardino Counties to the California-Nevada Line.

\* Change }  
6 Reduction } Decision No. 44413

EFFECTIVE JULY 17, 1950

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 398

IT IS HEREBY ORDERED that Highway Carriers' Tariff No. 2 (Appendix "D" to Decision No. 31606, as amended) be and it is hereby further amended by incorporating therein to become effective July 17, 1950, Fourteenth Revised Page 15 cancels Thirteenth Revised Page 15 attached hereto and by this reference made a part hereof.

IT IS HEREBY FURTHER ORDERED that tariff publications of common carriers resulting from the amendment hereof of the aforesaid tariff may be made effective not earlier than July 17, 1950, and on not less than five (5) days' notice to the Commission and to the public if made effective on that date.

In all other respects said Decision No. 31606, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 20th day of June, 1950.

A. J. [Signature]

[Signature]

[Signature]

[Signature]  
Commissioners