

ORIGINAL

Decision No. 51573

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 all common)	
carriers, highway carriers and city)	Case No. 5433
carriers relating to the transportation)	(Petition No. 3)
of livestock and related items (com-)	
modities for which rates are provided)	
in Minimum Rate Tariff No. 3).)	

SUPPLEMENTAL OPINION AND ORDER

Statewide minimum rates for the transportation of livestock by highway carriers are named in Minimum Rate Tariff No. 3.

By Petition for Modification No. 3, California Trucking Associations, Inc., seeks to amend Item No. 65-B of the tariff pertaining to truckload minimum weights. The item now provides in part that the minimum weight for two or more units shall be 30,000 pounds for cattle and hogs and 25,000 pounds for sheep. Under certain circumstances where the actual gross weight of a shipment is not obtained and is not evidenced by a certified weighmaster's certificate charges may be based upon the specified minimum weights. It is proposed that the words "for two units in combination" be substituted for the words "for two or more units."

Petitioner points out that the present wording of the item permits the application of the specified minimum weights to shipments requiring more units of equipment than can be operated in combination. It is asserted that the effect of the rule, as presently worded, was never intended by the Commission; that the situation has caused an unjust and unreasonable financial loss to many carriers; and that the modification proposed will carry out the true intent of the rule.

Interested parties have been notified of the filing of the petition. No objection to its being granted has been received.

In the circumstances, it appears that the sought modification is justified and should be granted. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

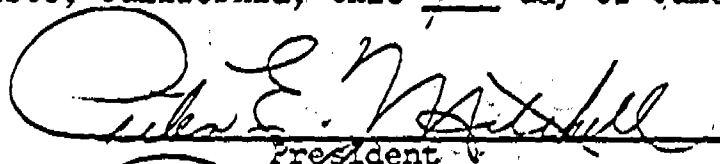
(1) That Minimum Rate Tariff No. 3 (Appendix "C" to Decision No. 31924 as amended) be and it is hereby further amended by incorporating therein, to become effective July 15, 1955, Fourth Revised Page 4-A Cancels Third Revised Page 4-A, which revised page is attached hereto and by this reference made a part hereof.

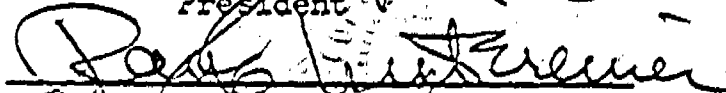
(2) That tariff publications required or authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the effective date hereof on not less than five days' notice to the Commission and to the public; and that such required tariff publications shall be made effective not later than July 15, 1955.

(3) That in all other respects the aforesaid Decision No. 31924, as amended, shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 7th day of June, 1955.


President





Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS (Continued)
* 65-C Cancels 65-B	<p style="text-align: center;">TRUCKLOAD MINIMUM WEIGHTS</p> <p>For single equipment units the minimum weight shall be 14,000 pounds for cattle and hogs and 12,000 pounds for sheep; for two units in combination the minimum weight shall be 30,000 pounds for cattle and hogs and 25,000 pounds for sheep. (See Note 1 of Item No. 123.)</p>
66	<p style="text-align: center;">RATES BASED ON VARYING MINIMUM WEIGHTS</p> <p>When charges accruing on a shipment based upon actual weight exceed the charges computed upon a rate based upon a greater minimum weight, the latter shall apply. For the purpose of applying this item to a mixed shipment of livestock, deficiency between actual weight of the shipment and the greater minimum weight shall be computed at the rate applicable to the lowest rated commodity in the shipment.</p>
68	<p style="text-align: center;">UNITS OF MEASUREMENT IN QUOTATION OF RATES AND CHARGES</p> <p>Rates or accessorial charges shall not be quoted or assessed by carriers based upon a unit of measurement different from that in which the minimum rates and charges in this tariff are stated.</p>
	<p>* Change) ◇ Increase } Decision No. 51573</p>
EFFECTIVE JULY 15, 1955	
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 67</p>	