

Decision No. 51760

ORIGINAL

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 carriers relating
to the transportation of general
commodities (commodities for which
rates are provided in Minimum Rate
Tariff No. 2).

Case No. 5432

SUPPLEMENTAL OPINION AND ORDER

The Commission is informed by its Transportation Division staff that questions have arisen concerning the classification rating applicable to carload shipments of certain explosives transported under the provisions of Minimum Rate Tariff No. 2. The class rates contained in that tariff are subject generally to the ratings named in the Western Classification and Pacific Southcoast Freight Bureau Exception Sheet. For carload shipments the Exception Sheet provides a first class rating in connection with nonintermediate rates, and a third class rating in connection with rates that are intermediate in application. The distance class rates in Minimum Rate Tariff No. 2 are based upon constructive mileages without reference to intermediate or nonintermediate application.

From the staff investigation it appears that shippers and carriers have construed the third class rating as being applicable to truckload shipments transported under the minimum class rates contained in Minimum Rate Tariff No. 2. Much of the traffic moves under lower commodity rates established by the rail lines and available to highway carriers under the alternative rate provisions of Minimum Rate Tariff No. 2. A substantial number of highway common carriers have made their rates subject to the third class rating without restriction.

In order that the applicable rating may be stated clearly and certainly, the third class rating without restriction will be established by specific exception in Minimum Rate Tariff No. 2.

In addition to the foregoing matter, Items Nos. 320 and 360 of the same tariff will be amended to make more clear the application of canned goods ratings, and clarification changes will be made in Item 315 pertaining to butter, cheese and margarine and in Item 330 pertaining to the minimum rate on second-hand empty carriers (used packages). A public hearing is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Minimum Rate Tariff No. 2 (Appendix "D" of Decision No. 31606, as amended) be and it is hereby further amended by incorporating therein, to become effective September 1, 1955, the original and revised pages attached hereto and by this reference made a part hereof, which pages are numbered as follows:

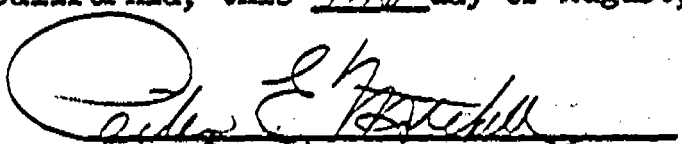
Twentieth Revised Page 5 Cancels Nineteenth Revised Page 5
Fourteenth Revised Page 37 Cancels Thirteenth Revised Page 37
Original Page 37-A
Fifth Revised Page 38 Cancels Fourth Revised Page 38


(2) That tariff publications authorized to be made by common carriers as a result of the order herein may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the tariff changes herein involved.


(3) That in all other respects said Decision No. 31606, as amended, shall remain in full force and effect.


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

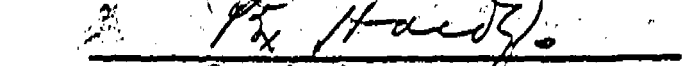
Dated at San Francisco, California, this 2nd day of August, 1955.



President








Commissioners

INDEX OF COMMODITIES (Continued)

COMMODITY	Item Number	COMMODITY	Item Number
Candles (M)	723-726	Compounds, paint, lacquer or varnish reducing, removing or thinning	377
Candy	360	Compound, radiator or cleaning (M)	723-726
*Canned Goods and Other Articles as described in Item No. 610	320, 610, 620, 630	Compound, rust preventing or removing (M)	723-726
Cants, Wheel, wooden	660, 690	Compound, type cleaning (M)	723-726
Cants, wooden	365	Compound, waterproofing (M)	723-726
Caps, column	660, 690	Confectionery	360
Caps, Sand Line	365	Containers, Beverage	600
Carriers (used packages)	330	Cooler Closets	660, 690
Cases (Built-in Fixtures)	660, 690	Corn	(1), 652, 652½, 654
Casing, Door and Window Panel	660, 690	Corn Cobs	652, 652½, 654
Casing Shoes	365	Cornice Brackets	660, 690
Castings, Swing Post	365	Corn, Kaffir	652, 652½, 654
Catchers, Tubing	365	Corn Steep Water	652, 652½, 654
Catsup	(1)	Countershafts, Oil Well	365
Cement, pipe fitting (M)	723-726	Covers, cotton cloth	335
Cereal and Nuts combined	360	Covers, Guy Wire	660, 690
Cereal Food	360	Covers, Thief Hole	365
Cereal Food Preparations	655, 656	Cow Peas	652½, 654
Cereals, cooked	652, 652½, 654	Cranes, Derrick	365
Chaff	395	Cross Arms, wooden	660, 690
Chap Sticks	352½, 654	Crystals, Citrus Fruit Juice	360
Charcoal (M)	365	Cupboards	660, 690
Cheese (including cottage and pot cheese) (M)	315, 605	Cylinders, Well Pump	365
Chests of Drawers	660, 690	Darso	652, 652½, 654
Chili, ground	(1)	Derrick Cranes	365
China Closets	660, 690	Derricks	365
Chloride of Lime Bleach	730	Dessert Preparations	360
Chocolate	360	Disinfectants	730
Chocolate Coating	360	Distillers' Grains	652, 652½, 654
Chops	652, 652½, 654	Doors	660, 690
Chowders	(1)	Drain Pipe Solvent	730
Citrus Fruit Juice	360	Dressing, Automobile Top (M)	723-726
Powders or Crystals	365	Dressing, Belt (M)	723-726
Clamps	365	Dressing, Salad	(1)
Clamps, Disconnecting, Drilling, Drive or Gas Packing	365	Drill Bitheads	365
Clay, Fire (M)	365	Dry Milk Solids	(1)
Clippings	652, 652½, 654	Durra	652, 652½, 654
Clothing, staple work	333	Dust, Elevator	652, 652½, 654
Coating, Chocolate	360	Earths, Infusorial or Diatomaceous	650
Cocoa	360	Egg Yolk	(1)
Cocanut, prepared	(1)	Eggs, Shelled	360
Coffee	360	Egyptian Wheat	652, 652½, 654
Coffee, extract of (condensed coffee), dry	334, 360	Elevator Dust	652, 652½, 654
Coffee Substitutes	360	Elevators, Pipe or Sucker Rod	365
Colorings, Confectioners	340		
Columns	660, 690		
Compound, anti-freeze (M)	723-726		
Compound, carbon removing (M)	723-726		

Compound, cleaning (M)	723-726	Emmer	652, 652 ¹ , 654
Compounds, Bleaching, Clearing, Scouring, Washing	334 ¹ , 730	Engines (M)	365
Compound, electrical insulating (M)	723-726	Ether (M)	723-726
Compounds; Flavoring	360	Explosives	337
Compounds, Food Curing, Preserving or Seasoning	360	Exterminators, vermin (M)	723-726
Compounds, Lard	360	Extracts	360
Compound, malt, milk and cocoa	360, 375	Extracts, coffee (con- densed coffee), dry	334, 360
Compound, milk and cocoa	375	Extracts, Malt	600
Compounds, Oil Well Drilling Mud	365	Farina	652, 652 ¹ , 654
Compound, paint thinning (M)	723-726	Feed; Animal	(1), 652, 652 ¹ , 654
		Feed; Barley Hay	652 ¹ , 654
		Feed, Bean Straw (M)	652 ¹ , 654

*Change } Decision No. 51760
 #Addition }
 (1) See "Canned Goods and Other Articles as described in
 Item No. 610."
 (M) Denotes articles on which application of rates is limited
 to mixed shipments.

EFFECTIVE SEPTEMBER 1, 1955

Issued by the Public Utilities Commission of the State of California,
 Correction No. 669 San Francisco, California.

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
	EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET (Continued)	
	<p style="text-align: center;">PACKING REQUIREMENTS</p> <p>Except as otherwise provided, articles will not be subject to the packing requirements of the Western Classification or Exception Sheet, but may be accepted for transportation in any container or any shipping form, providing such container or form of shipment will render the transportation of the freight reasonably safe and practicable.</p> <p>If two or more ratings which are subject to different packing requirements are provided for an article in the form in which it is shipped, the lowest of such ratings will apply.</p> <p>The term "Form in which it is shipped" means the form of the article itself as prepared for shipment or for the trade (exclusive of packing requirements), such as set up, knocked down, nested, not nested, compressed, not compressed, folded flat, not folded flat, in metal can inner containers, in glass bottle inner containers, in carton inner containers, in bulk (not in inner containers), dry, liquid, paste, solid, powdered, granulated. The term "packing requirements" means (1) the outer shipping containers such as boxes, barrels, crates, bags, and (2) the shipping forms such as bundles, bales, rolls; loose, on skids (other than lift truck or platform), which are provided in the Western Classification or Exception Sheet.</p>	
300-B Cancels 300-A		
		Class Rating
305	Batteries, dry cell, electric, less carload-	4
310	Beverages, malt; viz.: Ale, Beer, Beer Tonic, Porter, Stout, less carload -----	4
311	Beverage Preparations, not otherwise indexed by name in the Western Classification, dry, less carload -----	4
*315-A Cancels 315	Butter, dairy Cheese (including cottage cheese and pot cheese) Margarine *(1) Applies only when one or more of the commodities listed in this item move in mixed shipments with other commodities for which rates are provided in this tariff.	(1) 4
*320-C Cancels 320-B	Canned Goods and Other Articles as described in and subject to the provisions of Item No. 610: ✓ Less than carload ----- ✓ (4) Carload, minimum weight 30,000 pounds -	90% of 4 5

Item No.	SECTION NO. 1-RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET (Continued)		
		Class Rating
(1)334	Coffee, extract of (condensed coffee), dry, less carload	4
(1)334 7	Compounds, cleaning, scouring or washing, not otherwise indexed by name in the Western Classification, less carload ...	4
(1)335	Covers, hood, radiator, seat, spring, steering wheel, tire or top, cotton cloth, not fitted or formed, less carload	3
# 337	Explosives, as described, in and subject to the provisions of Item No. 520 series of the Exception Sheet. Minimum weight 20,000 pounds	ø 3
(1)340	Flowers, fresh, cut, less carload	1
(1)350	Fruit, dried, including Raisins, Prunes (dried), Figs (dried), and Fig Pulp or Fig Paste, less carload	90% of 4
<p style="text-align: center;">(1) Formerly shown on Thirteenth Revised Page 37</p> <p># Addition) ø Reduction) Decision No. 51760</p>		
EFFECTIVE SEPTEMBER 1, 1955		
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 671</p>		

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)		
	EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET (Continued)		Class Rating
*360-E Cancels 360-D	GROCERIES AND GROCERS' SUPPLIES, viz.:		
	Bakery Goods, as described under that heading in the Western Classification, Beverages, or Beverage preparations, as described in Items Nos. 18175, 18180, 18185, 18575, 18580, 18585, 18620, and 18625 series of the Western Classification, Candy or Confectionery, as described in Items Nos. 8960, 8965 and 8970 series of the Western Classification. *** Cereal and Nuts combined (Meat Substitutes), Cereal Food Preparations, as described under that heading in the Western Classification, Chocolate, Chocolate Coating, Cocoa, Coffee, Coffee, extract of (condensed coffee), dry, Coffee Substitutes, Cereal, Fruit or Vegetable, including Chicory, Colorings, confectioners', Compounds, Food Curing, Preserving or Seasoning, * Dessert Preparations, as described in Items Nos. 18300, and 18305 series of the Western Classification, Eggs, Shelled (Egg Albumen, whites or yolks), desiccated or frozen, Extracts or Flavoring Compounds, not otherwise indexed by name in the Western Classification, Fish, other than fresh or frozen, Fondant, candy (candy filler), Food, Infants' or Invalids' cereal, or Food, Prepared, not otherwise indexed by name in the Western Classification, Fruit, or Fruit Peel, candied, crystallized, glazed or stuffed,	Fruit Juice Powders or Crystals, Citrus, Fruit Syrups, Gelatine, Glucose, Gum, Chewing, Honey, Horseradish, Lard, Lard Compounds or Lard Substitutes, as described in Items Nos. 15320 and 32080 series of the Western Classification, Liquors, malt, viz.: Ale, Beer, Beer Tonic, Porter, Stout, Liquors, vinous, Macaroni, except Canned, Malt Syrup, Meat, other than fresh, Milk, malted, Mustard, Noodles, Nuts, edible, shelled, plain, salted or sweetened, Paste, alimentary, Paste, confectioners' or icings, Popcorn, Potato Chips, Powder, Baking or Yeast, Sage, Salads, Fish, Macaroni, Meat or Vegetable, Salt, (subject to Note 1), Shortening, Spaghetti, except Canned, Spices, Sugar, (subject to Note 1), Tapioca, Tea, Vermicelli, except Canned, Yeast.	

Minimum Weight 20,000 pounds
Minimum Weight 30,000 pounds

4
5

NOTE 1.-Ratings shown apply only when commodities subject to this note are shipped in mixed shipments with one or more other commodities named in this item.

*Change
***Canned Goods and other articles eliminated, } Decision No. 51760
see Item No. 320 }

EFFECTIVE SEPTEMBER 1, 1955

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San Francisco, California.
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