

Decision No. 54439

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 property in the City and County of)
San Francisco and the Counties of)
Alameda, Contra Costa, Santa Clara,)
San Mateo, Marin, Monterey, Napa,)
Santa Cruz, San Benito, Solano and)
Sonoma.)

Case No. 5441
(Petition for Modification
No. 22)

SUPPLEMENTAL OPINION AND ORDER

City Carriers' Tariff No. 2-A-Highway Carriers' Tariff
No. 1-A names minimum rates, rules and regulations for the trans-
portation of property within and between the cities of Alameda,
Albany, Berkeley, Emeryville, Oakland and Piedmont.

Item No. 30-H therein specifies certain commodities for
which the rates, rules and regulations of this tariff do not apply.
Paragraph (c) thereof names "Petroleum and petroleum products
transported in tank vehicles" among the excluded commodities.

By Petition for Modification No. 22, the Draymen's
Association of Alameda County requests that paragraph (c) of Item
No. 30-H be amended to exclude all commodities transported in
tank vehicles from the application of the tariff. Petitioner states
that the tariff does not contain proper rates applicable to com-
modities moving in tank vehicles and that the item has caused con-
siderable confusion among tank truck operators. The petition also
points out that Minimum Rate Tariff No. 2 and City Carriers'
Tariff No. 1-A (San Francisco) contain the exemption as herein
proposed.

It appears that the minimum rates provided in City Car-
riers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A are not
appropriate for the transportation of commodities in tank trucks.

Since the exemption of petroleum or petroleum products in tank trucks was placed in the tariff transportation and distribution methods have changed considerably. Many other commodities are now moved in tank vehicles.

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

In the circumstances, it appears, and the Commission finds, that the proposed exemption of commodities transported in tank vehicles is justified. The petition will be granted. A public hearing is not necessary.

Therefore, good cause appearing,


IT IS HEREBY ORDERED:


(1) That City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A (Appendix "A" of Decision No. 41362, as amended) be and it hereby is further amended by incorporating therein to become effective March 1, 1957, Ninth Revised Page 12 Cancels Eighth Revised Page 12, which page is attached hereto and by this reference made a part hereof.


(2) That in all other respects the aforesaid Decision No. 41362, as amended, shall remain in full force and effect.


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

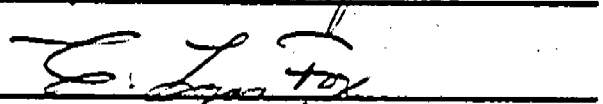
Dated at Los Angeles, California, this 29th day of January, 1957.



President








Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS (Continued)
	<p data-bbox="631 450 1294 484" style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES</p> <p data-bbox="389 515 1465 583">Rates named in this tariff apply for the transportation of all commodities except the following:</p> <p data-bbox="389 583 1482 674">NOTE 1.- The minimum rates, rules, regulations and classification named in this tariff do not apply to the transportation of:</p> <ul style="list-style-type: none"><li data-bbox="449 674 1465 911">(a) Used Property, viz.: household goods, office and store fixtures and equipment, as described in and for which rates are provided in Minimum Rate Tariff No. 4-A, amendments thereto or reissues thereof, and used property as described therein transported for the United States, state, county or municipal governments.<li data-bbox="449 966 1448 1104">(b) Commodities as described in and for which rates are provided in Minimum Rate Tariff No. 7, amendments thereto or reissues thereof, when said commodities are transported in dump trucks.<li data-bbox="423 1117 1436 1265">*(c) Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles.<li data-bbox="449 1278 1491 1317">(d) Property transported by special messenger service.<li data-bbox="449 1330 1494 1460">(e) Pickup and delivery of shipments for common carriers, transported from or to points outside the area named herein under through pickup and delivery rates.<li data-bbox="449 1486 1424 1551">(f) Telephone directories, new, distributed to subscribers, and old, picked up from subscribers.<li data-bbox="449 1578 1456 1643">(g) Unloading and distribution of freight forwarders' cars originating at points outside the State.<li data-bbox="449 1682 1427 1773">(h) Voting booths, ballot boxes, election tents and election supplies, when transported from or to polling places.<li data-bbox="449 1812 1465 2098">(i) Commodities which consist of or contain materials essential to National Defense and which have been donated to and are transported for the United States government, governmental agencies, or non-profit organizations acting for or in behalf of said government in the collection, assembly or transportation of said commodities in connection with the recovery of said essential materials from the commodities transported.<li data-bbox="449 2124 1482 2255">(j) United States mail transported between post offices or points designated by a post office on the one hand and steamship docks, piers or wharves on the other hand.

*30-I
Cancels
30-H

- (k) Cement, hydraulic, masonry, natural or Portland - also lime, common (including magnesium lime, hydrated or hydraulic lime, quick or slaked), cement flue dust, and/or limestone, powdered, shipped in mixed shipments with cement - when transported in shipments of 40,000 pounds or more, or when transported in shipments of lesser weights subject to the rates, rules and regulations, including the minimum charge computed on a minimum weight of 40,000 pounds, which are set forth in Minimum Rate Tariff No. 10, amendments thereto or reissues thereof.
- (l) Property shipped to or from producers of motion pictures or television shows when transported subject to the rates, rules and regulations provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended.
- (m) Commodities weighing 100 pounds or less per piece or package when delivered from retail stores, or, when returned to the original retail store shipper via the carrier which handled the outbound movement.
- (n) Furniture, household appliances and other home furnishings, transported from retail stores where they have been sold at retail by a retail merchant, or transported from retail customers to retail stores.
- (o) Automobiles, Automobile parts, accessories, and related articles in secondary movement by truckaway service when subject to the rates, rules and regulations set forth in Minimum Rate Tariff No. 12, amendments thereto or reissues thereof.
- (p) Motor vehicles when towed by a tow car.

*Change, Decision No. **54439**

EFFECTIVE MARCH 1, 1957

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 171