

Decision No. 55142

**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 car- )	Case No. 5432
riers relating to the transportation of )	Petition for Modification
general commodities (commodities for )	No. 85
which rates are provided in Minimum Rate )	
Tariff No. 2.) )	

SUPPLEMENTAL OPINION AND ORDER

Item No. 740 of Minimum Rate Tariff No. 2 names a truck-load commodity rate on sugar from San Francisco and Crockett to Los Angeles Basin Territory. It provides that split delivery service applies only when the weight of each component part is 10,000 pounds or more or transportation charges are based on a weight of not less than 10,000 pounds for each component part. The California and Hawaiian Sugar Refining Corporation, Ltd., by petition filed May 3, 1957, seeks cancellation of this provision. No such provision is in effect on other commodities or on sugar shipped between other points.

The verified petition shows that the above-referred to split delivery restriction was established in 1938; that at that time the minimum sales unit of sugar in the Los Angeles Basin Territory was 10,000 pounds; that the aforementioned restriction was established to prevent a breakdown of this minimum sales unit; that 1938 trade and sales practices no longer prevail; and that sugar is now sold and delivered in lots of less than 10,000 pounds.

California Trucking Associations, Inc., has been notified of the filing of the petition. The Association's position is that the restriction should be canceled. No objection to this action has been offered.

Cancellation of the split delivery restriction on sugar from Item 740 of Minimum Rate Tariff No. 2 would give recognition

to the prevailing trade and sales practices. It would also place sugar on a parity with other commodities handled in split delivery service.

It appears that this is a matter in which a public hearing is not necessary and that cancellation of the provision in question is justified.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Minimum Rate Tariff No. 2 (Appendix "A" to Decision No. 31606, as amended) be and it is further amended by incorporating therein to become effective August 1, 1957, Seventh Revised Page 65 Cancels Sixth Revised Page 65, which page is attached hereto and by this reference made a part hereof;

(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 change herein involved;

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

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

Dated at San Francisco, California, this 18th day of June, 1957.

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President

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Commissioners

Item No.	SECTION NO. 3		COMMODITY RATES (Continued) In Cents per 100 Pounds	
	COMMODITY	FROM	TO	RATE
*740-G Cancels 740-F	Sugar, minimum weight 30,000 pounds	SAN FRAN- CISCO (See Item No.260-7)  CROCKETT	LOS ANGELES BASIN TERRITORY as described in Item No. 270	(1) (2) 42
	<p>(1) Subject to Item No. 900.</p> <p>(2) When accessorial services are rendered by carrier in connection with shipments moving under rate in this item the following charges shall be in addition to rate shown:</p> <p>(a) For loading or unloading other than tailgate loading or tailgate unloading 3½ cents per 100 pounds.</p> <p>(b) For other accessorial charges see Items Nos. 140 and 180.</p> <p>6(3) ***</p>			

\*\*\* Provision canceled.

\* Change )  
 & Reduction ) Decision No. 55142

EFFECTIVE AUGUST 1, 1957

Issued by the Public Utilities Commission of the State of California,  
 San Francisco, California.

Correction No. 715