

Decision No. 56202

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of J. P. Hackler, Alternate Agent,)	Application No. 39546
for approval of changes in Classi-)	
fication.)	

OPINION AND ORDER

By this application, J. P. Hackler, Alternate Agent for The Western Classification Committee, seeks authority under Sections 454 and 460 of the Public Utilities Code to make changes in various rules and regulations in Western Classification No. 76 for application by the railroads and certain other common carriers. The proposed changes pertain to mixed carload shipments, and to dunnage provisions and allowances.

Applicant proposes to amend Rule 10, governing mixed carloads, to provide that, with certain exceptions, articles will be charged at the straight carload class or commodity rate applicable to each article. The current rule in the Classification provides generally that charges are to be assessed on the basis of the carload rate applicable to the highest rated article. The minimum carload weight, under either rule, would be the highest provided for any article in the mixed carload.

Applicant alleges that these so-called "streamlined" or "modified" Rule 10 provisions, in substantially the form proposed, have been published as exceptions to the Classification in many tariffs and are in effect throughout most of the United States. In California, these provisions became effective on August 2, 1954, on the interstate traffic of the involved carriers, and May 12, 1955, on their intrastate traffic, as exceptions to the Classification published in Pacific Southcoast Freight Bureau Exception Sheet 1-S of Agent J. P. Haynes. The proposed amendment would allow the many

published exceptions to be canceled and, while involving a reduction insofar as applicant is concerned, would involve a technical change only in relation to actual movements of traffic.

Changes are proposed also in the definition of "dunnage" as contained in Rules 11 and 30 of the Classification. Under the present definition, dunnage includes, among other things, temporary blocking, racks, standards, strips, stakes or similar bracing or supports not constituting a part of the car, when required to protect carload freight and make it secure for shipment. It is proposed to amend these rules to remove "racks" from the definition of dunnage. Applicant asserts that, contrary to the original intention of the carriers, contrivances used for carrying freight into or out of cars are now being considered as racks. According to applicant,¹ racks actually built into the railroad freight cars as temporary bracing or supports would continue to be included as dunnage under the proposed amended rules.

Rule 30 provides also that an allowance will be made for the actual weight of dunnage required for safe transportation of carload freight, subject to a maximum weight allowance of 500 pounds. Applicant proposes to increase the maximum weight allowance to 2,000 pounds. The effect of this proposal is to reduce the charges to the shippers. The reduction is designed to meet the competition of motor carriers, which make no charge for dunnage on truckload shipments.

Relief from the long-and-short haul provisions of the Public Utilities Code (Sec. 460) to publish the proposed changes is sought also in order to maintain competitive equality between the long and short line carriers in California.

Interested parties have been notified of the filing of the application. No objection has been received. For the most part the proposed adjustments result in reductions. In other respects, they are technical revisions which will tend to simplify or clarify the rules.

In view of all of the circumstances it is concluded and the Commission finds, that applicant's proposals, including any rate increases resulting therefrom, are justified. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS ORDERED:


(1) That the above-entitled application filed by J. P. Hackler, Alternate Agent, for authority to publish and file in his Western Classification No. 76 the rule changes proposed therein is hereby granted.

(2) That applicant is hereby authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California and from the provisions of Section 460 of the Public Utilities Code insofar as the rules and regulations authorized by this order govern nonintermediate rates.

(3) That the supplements containing the rule changes herein authorized shall bear a notation that they are issued under authority of this decision.

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

Dated at San Francisco, California, this 4th day of February, 1958.



Ray B. Koser

Commissioners