ORIGINAL

Decision No. 51439

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 any and all commodities between and within all points and places in the State of California (including, but not limited to, transportation for which rates are provided in Minimum Rate Tariff No. 2).

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 Los Angeles and Orange Counties (transportation for which rates are provided in Minimum Rate Tariff No. 5). Case No. 5432
Petition No. 188
(Filed May 31, 1960)

Case No. 5435

Petition No. 22

(Filed October 3, 1960)

Frank B. Martin and Robert H. Curlette, for
American Viscose Corporation, petitioner.
Frank Dunn, for G. I. Trucking Company, respondent.
Arlo D. Poe, J. C. Kaspar and James Quintrall, for
California Trucking Associations, Inc., Jesse J.
Bradley, for Crown Zellerbach Corporation, and
Robert F. Staib, for Blake, Moffitt & Towne,
interested parties.
Leonard R. Diamond, for the Commission's staff.

OPINION

American Viscose Corporation, petitioner in the above matters, seeks the establishment in Minimum Rate Tariffs Nos. 2 and 5 of a 4th class, less-carload, exception rating for

"Cellulose film, not printed (transparent sheets of not nitrated cellulose film such as commonly used for wrapping purposes), or cellulose film combined or coated with plastic other than cellulose, in rolls exceeding 8½ inches in diameter, or in sheets not further processed than cut to size, in boxes or crates or in wrapped bundles or rolls."

Under present provisions of the Western Classification said film is subject to a rating of 3d class. Petitioner alleges that the 3d class rating for the film is unduly discriminatory in relation to ratings that apply to competitive products, and that, furthermore, the transportation characteristics of cellulose film, as described, justify establishment of the lower rating of 4th class which is sought in these matters.

Public hearing on petitioner's proposals was held before
Examiner C. S. Abernathy at Los Angeles on September 23, 1960.

Evidence was submitted by petitioner's director of traffic, by its
traffic manager, and by representatives of a distributor and of three
carriers of petitioner's products. Representatives of the California
Trucking Associations, Inc., and of the Commission's staff also
participated in the development of the record. The matters were
taken under submission for decision on October 24, 1960.

According to evidence which was submitted by the several witnesses, petitioner's film is used primarily as an industrial packaging material. Some of the main uses are the wrapping of bakery products, meats, confectionery products and chewing gum. Principal competing packaging materials for these same uses are glassine, waxed paper and greaseproof paper. In California, the rating which applies to cellulose film is one class higher than the ratings for said

The hearing was originally scheduled in response to Petition No. 188 in Case No. 5432. The proposals in this petition apply to Minimum Rate Tariff No. 2. At the hearing it was developed that petitioner mistakenly was under the impression that its proposals applied to Minimum Rate Tariff No. 5 also. Pursuant to petitioner's request, the matter was broadened to include Minimum Rate Tariff No. 5, and a confirming filing in Case No. 5435 was subsequently made by petitioner on October 3, 1960. The submission of the two matters for decision was deferred until October 24, 1960, in order to afford interested parties reasonable opportunity to except to the proposals as applying to Minimum Rate Tariff No. 5. No exceptions to said proposals have been received.

competing materials. In various other rate areas, however, cellulose film is subject to the same or equivalent ratings or to the same commodity rates that apply to the aforesaid competing materials. Petitioner's traffic manager stated that prior to the filing of the petitions in these matters, his company had applied to the Classification Committee for the Uniform and the Consolidated (including the Western) Classifications for the establishment in the Consolidated Classification of the rating which is sought herein. Although the Committee had established an equivalent rating in the Uniform Classification, it declined to make the corresponding adjustment in the Consolidated Classification for the reason that it was endeavoring to limit the application of the Consolidated Classification.

Regarding the transportation characteristics of the cellulose film, the witnesses presented evidence to the effect that the density of the film, as packed for shipment, ranges from 42 to 66 pounds per cubic foot; that the value of the film is about 54 cents per pound; that the film is adequately packaged for shipment; that the shipments are moved with a minimum of loss or damage; that few, if any, special services are required in connection with the movements; that, in the loading of the shipments, the carriers are able to attain efficient usage of their equipment; and that the total volume of the tonnage which is transported per year is substantial and increasing.

The petitions in these matters should be granted. The record is clear that in essential respects the transportation characteristics of the film are the same as, or substantially the same as, those of commodities which have heretofore been accorded a 4th class rating. On this basis it appears that the 4th class rating should be made applicable to the film also. It appears, moreover,

that granting of petitions would give the same effect within California to the transportation characteristics of the film as has been granted in other rate areas, and would thereby place the film on the same basis of transportation competitive equality that has been accepted as reasonable and justified by carriers elsewhere. In the circumstances the Commission is of the opinion and finds that the sought 4th class rating would be reasonable for incorporation in Minimum Rate Tariffs Nos. 2 and 5. In order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 5 will be amended by a separate order.

ORDER

Based upon the evidence of record and upon the findings and conclusions set forth in the preceding opinion,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix "D" of Decision No. 31606, as amended) be, and it hereby is, further amended by incorporating therein, to become effective March 25, 1961, the revised pages attached hereto and by this reference made a part hereof, which pages are numbered as follows:

Thirty-second Revised Page 5 Twentieth Revised Page 6 First Revised Page 37-B

2. Tariff publications authorized to be made by common carriers as a result of the order herein may be filed not earlier than the effective date hereof, and may be made effective 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 charges herein involved.

- 3. Common carriers be, and they hereby are, authorized to depart from the provisions of Article XII, Section 21, of the State Constitution, and of Section 460 of the Public Utilities Code, to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; that such outstanding authorizations be and they are hereby modified only to the extent necessary to comply with this order; and that schedules containing the rating published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.
- 4. 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
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			Commissioners

	Item		Item
COMMODITY	Number	COMMODITY	Number
Candles (M)	377.5,723-726	Compounds, carbon, green	
Candy	360	or sludge removing (M)	377.5,723-726
Candy coating, other		Compounds, Flavoring	360
than chocolate	334-3/4	Compounds, floor	3.
Canned Goods	320,620,630	hardening (M)	377.5,723-726
Cants, wooden	365	Compounds, Food Curing,	
Caps, Sand Line	365	Preserving or Seasoning	360
Carriers(used packages)	330	Compounds, Lard	360
Casing Shoes	365	Compounds, Oil Well	
Castings, Swing Post	365	Drilling Mud	365
Catchers, Tubing	365	Compounds, paint,	
Catsup	320	lacquer or varnish ro-	
Cellulose film	332	ducing, removing or	
Coment, pipe fitting (M)	377.5,723-726	thinning	377
Cereal and Nuts com-	المام المراجع	Concentrate, Flavin	652-654
bined	360	Confectionery	
Cereal Food	360		334-3/4,360
		Containers, Aluminum	200
Chaff	652-654 2	Bulk Shipping	330
Chap Sticks	395	Containers, Beverage	330
Charcoal (M)	652-6542	Com	320,652-6542
Cheese (including		Corn Cobs	652-654
cottage and pot		Corn, Kaffir	652-654
cheeso) (M)	315,605	Corn Steep Water	652-6542
Cheese and Macaroni	360	Corundum	302
Chilli, ground	320	Countershafts, Oil Well	365
Chloride of Lime Bleach	730	Covers, cotton cloth	335
Chocolate P	360	Covers, Thief Hole	365
Chocolato Coating	360	Cow Peas	652-6542
Chops	652-6542	Cranes, Derrick	365
Chowders	320	Cross Arms, wooden	690,710
Citrus Fruit Juice		Crystals, Citrus Fruit	
Powders or Crystals	360	Juice	360
Clamps.	365	Cylinders, Well Pump	365
Clamps, Disconnecting,			
Drilling, Drive or		Darso	652-6542
Gas Packing	365	Derrick Cranes	365
Clay, Fire (M)	365	Derricks	365
Clippings	652-6543	Dessert Preparations	360
Cloth, abrasive	302	Disinfectants	730
Clothing, staple work	333	Distillers' Crains	652-654 }
Clover	652-6542	Drain Pipe Solvent	730
Coating, cardy, other		Dressing, Automobile	
than chocolate	334-3/4	Top (M)	377-5,723-72
Coating, Chocolate	360	Dressing, rubber (M)	377-5,723-72
Cocoa	360	Dressing, Salad	320
Coconut, prepared	333-5	Dressing, shoe (M)	377-5,723-72
Coffee	360	Drill Bitheads	365
Coffee, extract of	1500.	Drink, fruit	320
(condonsed coffee),		Drugs	395
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Coloring, Confectioners	360	Earths, Infusorial or	
Compound, cleaning (M)	377.5,723-726	Diatomacoous	650
Compound, electrical		Egg Tolk	320
insulating (M)	377.5,723-726	Eggs, Shelled	360
Compound, malt, milk		Egyptian Wheat	652-654
and cocoa	360,375	Elevator Dust	652-6542
Compound, metal cutting,		Elevators, Pipe or	
drawing or drilling (M)	377.5,723-726	Sucker Rod	365
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ning (M)	377.5,723-726	Emmer	652-654 2
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ing or removing (M)	377.5,723-726	Exterminators, vermin(M)	377-5,723-726
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(M) Donotos articles on which application of rates is limited to mixed shipments.

Addition, Decision No. 51439

EFFECTIVE MARCH 25, 1961

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

Correction No. 1126

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evaporated nor fresh) 320 Fruit, candied, crystallized, glaced or stuffed 360 Fruit, crushed 320 Fruit, dehydrated, dried or evaporated 350 Fruit Drink Fruit Juice Powders 320 Jacks, Oil Well Fumping 365 Jacks, Well Tool 320 Joints, Rotary Tool and Sucker Rod 365 Juice, Clam 320 Juice, Fruit 320		365	Iron, Plate or Sheet	365
evaporated nor fresh) 320 Fruit, candied, crystallized, glaced or stuffed 360 Fruit, crushed 320 Fruit, dehydrated, dried or evaporated 350 Fruit Drink Fruit Juice Powders 320 Jacks, Oil Well Fumping 365 Jacks, Well Tool 320 Joints, Rotary Tool and Sucker Rod 365 Juice, Clam 320 Juice, Fruit 320			A rest of the rest place of the first	*
Fruit, candied, crystallized, glaced or stuffed Fruit, crushed Fruit, dehydrated, dried or evaporated Fruit Drink Fruit Juice Powders Jacks, Well Tool June June June June June June June June		320	Jacks, Oil Well Fumping	365
crystallized, glaced or stuffed 360 Jelly 320 Fruit, crushed 320 Joints, Rotary Tool Fruit, dehydrated, dried or evaporated 350 Juice, Clam 320 Fruit Drink Juice Powders 320				
glaced or stuffed 360 Jelly 320 Fruit, crushed 320 Joints, Rotary Tool and Sucker Rod 365 dried or evaporated 350 Juice, Clam 320 Fruit Drink Juice Powders 320	crystallized.			
Fruit, crushed Fruit, dehydrated, dried or evaporated Fruit Drink Fruit Juice Powders 320 Joints, Rotary Tool and Sucker Rod Juice, Clam Juice, Fruit 320	glaced or stuffed	360		
Fruit, dehydrated, dried or evaporated 350 Fruit Drink 320 Fruit Juice, Fruit 320 Fruit Juice Powders				
dried or evaporated 350 Juice, Clam 320 Fruit Drink 320 Fruit Juice, Fruit 320				365
Fruit Drink Fruit Juice, Fruit Fruit Juice Powders		350		
Fruit Juice Powders	Provide Division	1000		
				1520:
or Crystals, Citrus 200	•	260	上海中的人员也不是一个人	
	or Crystals, Clums	1300		1 3
	1			

Fruit Peel, candied		Keffir Corn	652-6542
crystallized, glaced		Kaoliang	652-654
or stuffed	360	Kelp	652-6542
Fruit Syrup	360		
		Lacquers	377
Garlic Chips	320	Lard	360,730
Garlic Powder	320	Lard Compounds	360
Gas, petroleum	* * *	Lard Substitutes	360,730
liquefied	377.5,723-726	Leaves, cactus	355
Gauges, Bit	365	Lentils (M)	652-654
Gelatine	360		
Generators, Electric(M)	365		
Germ	652-65113		1

(M) Denotes articles on which application of rates is limited to mixed shipments.

Addition, Decision No.

51439

EFFECTIVE MARCH 25, 1961

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 1127

Item No.				
	EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET (Continued)	Class Rating		
	Carriers (used packages), second hand, empty, as described in and subject to the provisions of Item No. 300 of the Exception Sheet, and Containers, aluminum bulk commodity shipping, nested, subject to Note 1 of Item No. 300 of the Exception Sheet. Less carload Carload: Minimum Weight 12,000 pounds Minimum Weight 30,000 pounds	(1)(2)½ of 4 (1)(3)B (1)(3)E		
330	Carriers, malt beverage, viz.: Barrels, half barrels, casks, drums, hogsheads, kegs, puncheons, tierces, bottles, bottle carriers, pallets, subject to the provisions of Item No. 300 of the Exception Sheet.	Western Classi-		
	Carload: Minimum Weight 20,000 pounds	fication Rat- ings apply		
	 Does not apply to Carriers, malt beverage. Subject to minimum rate of 28 cents per hundred pounds or actual 4th class rate whichever is lower. On continuous through movements on which charges are obtained by use of combinations of separately established rates, the minimum rate stated above shall apply, not in connection with the separately established factors, but to the total of the combined rate applicable to the through continuous movement. Not to exceed less carload rate. 			
#6 332	Cellulose film, not printed (transparent sheets of not nitrated cellulose film such as commonly used for wrapping purposes) or cellulose film combined or coated with plastic other than cellulose, in rolls exceeding 8½ inches in diameter, or in sheets not further processed than cut to size, in boxes or crates, or in wrapped bundles or rolls. Less carload ————————————————————————————————————	14		
333	Clothing, staple work viz.: Dungarees, coveralls, overalls, breeches, pants, shirts or jackets (see Note 1) made of any one or any combination of the following fabrics made wholly of cotton: Denim Drills Flannels Corduroys Jeans Chambrays Coverts Duck	3		
	Twills Cottonades Poplins Moleskins Whipcords Note lIncludes work jackets with blanket lining made of cotton and not to exceed 50% of wool shoddy.			

Addition) Decision No. 51439

EFFECTIVE MARCH 25, 1961

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

Correction No. 1128

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