

ORIGINALDecision No. 61461

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into)
 the rates, rules and regulations, charges,)
 allowances and practices of all common)
 carriers, highway carriers and city car-)
 riers 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).)

Case No. 5432
 Petition for Modification
 No. 201

O P I N I O N

By Decision No. 50704,¹ dated October 26, 1954, the Commission established in Item No. 378 of Minimum Rate Tariff No. 2,² a carload exception rating of fifth class, minimum weight 36,000 pounds, on "pipe, cast iron soil, not less than 5 feet and not more than 5½ feet in length, in straight shipments, or in mixed shipments with cast iron soil pipe fittings." By Petition for Modification No. 201, in Case No. 5432, American Brass and Iron Foundry Company, Rich Manufacturing Company and Woodward Iron Company seek the broadening of the above commodity description so as to make the fifth class rating applicable to shipments of cast iron soil pipe which are not less than two feet and not more than eleven feet in length.³

¹The decision in question was issued pursuant to Petition for Modification No. 28, in Case No. 5432.

²At that time Minimum Rate Tariff No. 2 was designated as "Highway Carriers' Tariff No. 2." It contains minimum class and commodity rates state-wide in application.

³American Brass and Iron Foundry Company and Rich Manufacturing Company were among the petitioners in the above-mentioned Petition for Modification No. 28.

Those lengths of soil pipe which are proposed to be added to the description in question are now subject to a carload rating of 115% of Class A, minimum weight 30,000 pounds, as set forth in Item No. 365 series of Minimum Rate Tariff No. 2, which rating applies also on other kinds of pipe and on numerous other articles.

In Decision No. 50704, of which we hereby take official notice, it is stated that petitioners in the proceeding therein, namely, Petition for Modification No. 28, were agreeable to the fifth class rating then sought to be established on cast iron soil pipe to be restricted to pipe not less than 5 feet and not more than 5½ feet in length, since the pipe was uniformly made in 5 foot lengths. The instant petition points out that the situation has changed since 1954, and that 15 percent of the soil pipe produced by petitioners herein is of lengths which are longer or shorter than the present tariff limitation but fall within the proposed limitations as to length. It is expected that the production of soil pipe of lengths so characterized will be greatly accelerated in the future.

It appears, also, that transportation characteristics and other factors which enter into the determination of proper classification ratings are the same for the soil pipe here under consideration as for those lengths of soil pipe on which the fifth class rating now applies.

No one opposes the granting of the petition.

Upon consideration, the Commission is of the opinion and hereby finds that the proposed fifth class rating for the lengths of soil pipe embraced by the petition herein will be reasonable.

The petition will be granted. A public hearing is not necessary.

O R D E R

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) is hereby further amended by incorporating therein to become effective March 25, 1961, Seventeenth Revised Page 39, which revised page is attached hereto and by this reference made a part hereof.

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 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 minimum rate tariff page incorporated in this order.

3. Common carriers be and they are authorized to depart from the provisions of Article XII, Section 21, of the Constitution, and 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 17th day of FEBRUARY, 1961.

Ernest R. Page
President
W. C. [unclear]
S. J. [unclear]
George H. Hoover
Frederick B. Holcomb
Commissioners

379	Plastics, synthetic, liquid or other than liquid, not otherwise indexed by name in the Western Classification, weighing 30 pounds or more per cubic foot, in rubber bags, each bag containing not less than 9,000 pounds of plastics; consignor to load and consignee to unload by mechanical means. Minimum weight, 40,000 pounds	B
380	Salt, common, less carload	90% of 4
390	Sugar, in packages Less carload Carload: Minimum weight, 30,000 pounds Minimum weight, 40,000 pounds	90% of 4 B C
* Change } o Reduction } Decision No. 61461		
EFFECTIVE MARCH 25, 1961		
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 1125		