

Decision No. 62033

**ORIGINAL**

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 pro-  
vided in Minimum Rate Tariff No. 2).

Case No. 5432  
Petition for  
Modification No. 219

### OPINION AND ORDER

By petition filed May 2, 1961, California Trucking Associations, Inc., requests that a classification rating on fresh meats of third class, minimum weight 21,000 pounds, be provided in Minimum Rate Tariff No. 2 in addition to the currently effective ratings of first class, less carload and fourth class, minimum weight 30,000 pounds. The fourth class rating now in effect was established on January 28, 1961, by Decision No. 61177, dated December 13, 1960, in this proceeding. This rating superseded the rating of third class, minimum weight 21,000 pounds, which was in effect for many years prior to January 28, 1961.

Petitioner states that its proposal will result in no increase in rates, but will result in some reductions. It alleges that both carriers and shippers would be best served by the establishment, in Item No. 376 of Minimum Rate Tariff No. 2, of the sought truckload rating, and a complete description of the applicable commodity, in addition to the current ratings on fresh meat.

On or about May 1, 1961, petitioner mailed a copy of the instant petition to various interested shippers, shipper organizations and carriers. No objection has been received to the granting of this petition.

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable. This is a matter in which a public hearing is not necessary. The petition will be granted.

Inherent in the petition is relief from the long-and-short-haul provisions of Article XII, Section 21 of the Constitution of the State of California, and Section 460 of the Public Utilities Code, in order to permit the application of the sought rating to rates which are nonintermediate in application. For the reasons that departures from the above statutory provisions were authorized for the rates, like authority is justified for application of the exception rating. Such authority will be granted.

Therefore, good cause appearing,

IT IS ORDERED:

1. That Minimum Rate Tariff No. 2 (Appendix "D" to Decision No. 31606, as amended) is hereby further amended by incorporating therein, to become effective July 8, 1961, Eighteenth Revised Page 39, which revised page is attached hereto and by this reference made a part hereof.

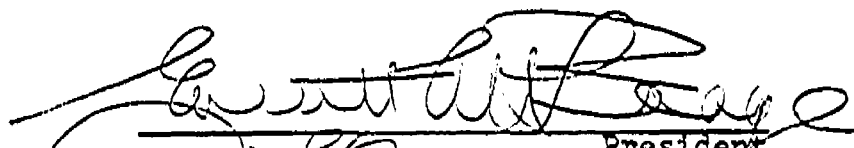
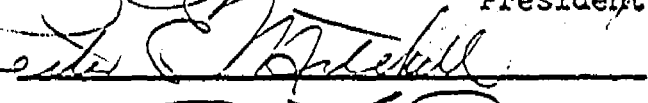
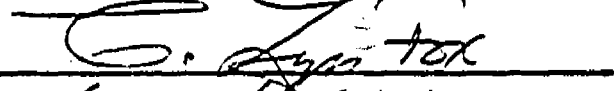
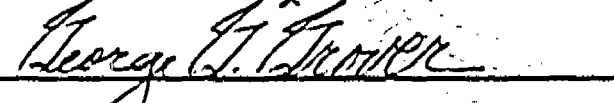
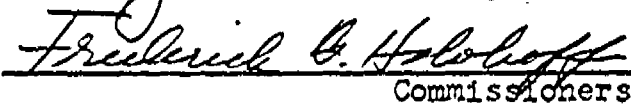
2. That tariff publications authorized to be made by common carriers as a result of the order herein may be filed not earlier than the effective date hereof, and may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the tariff page incorporated in this order.

3. That common carriers, in establishing and maintaining the rating authorized hereinabove, are hereby authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California, 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 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 the long-and-short-haul departures and to this order.

4. That, in all other respects, said 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 22nd day of May, 1961.

  
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President  
  
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Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
	EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET (Continued)	Class Rating
370	Ice cream, less carload .....	2
375	Malt, milk and cocoa compound ) Milk and cocoa compound ) Milk, malted ) less carload ..... Milk Food, other than liquid, ) other than malted milk )	4
*376	Meats, fresh, not otherwise indexed by name in the Western Classification, in carcasses or part carcasses, loose or in packages. Less carload ..... Carload: Minimum Weight 21,000 pounds ..... Minimum Weight 30,000 pounds .....	1 3 4
377	Paints or Varnishes, not otherwise indexed by name in the Western Classification, Bronzing Liquids, Lacquers or Shellacs, liquid or paste, less carload ..... Paint, Lacquer or Varnish Reducing, Removing or Thinning Compounds, not otherwise indexed by name in the Western Classification, less carload .....	4
377.5	Petroleum and Petroleum Products, in packages, as described in and subject to the provisions of Item No. 723. Minimum weight, 20,000 pounds ..... Minimum weight, 30,000 pounds ..... Minimum weight, 40,000 pounds ..... Minimum weight, 40,000 pounds ..... (1) Not applicable on asphalt (asphaltum), natural, by-product or petroleum, liquid (other than paint, stain or varnish) or solid. (2) Applicable only on asphalt (asphaltum), natural, by-product or petroleum, liquid (other than paint, stain or varnish) or solid.	90% of 4 B (1)C (2)D
377.6	Pies, not otherwise indexed by name in the Western Classification, not baked, frozen. Less carload ..... Minimum Weight 20,000 pounds ..... Minimum Weight 36,000 pounds .....	2 4 5
378	Pipe, cast iron pressure, not less than 12 feet and not more than 18½ feet in length, in straight shipments or in mixed shipments with cast iron pressure pipe fittings. Pipe, cast iron soil, not less than 2 feet and not more than 11 feet in length, in straight shipments, or in mixed shipments with cast iron soil pipe fittings. Minimum Weight, 36,000 pounds .....	5

