

ORIGINAL

Decision No. 63192
 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).

Case No. 5432
 Petitions for Modification
 Nos. 242 and 244

ORDER EXTENDING EXPIRATION DATE

By Decision No. 61338, dated January 10, 1961, in Petition for Modification No. 185 in Case No. 5432, the Commission made the transportation of wood chips, in bulk, exempt from the provisions of Minimum Rate Tariff No. 2. Said exemption, which became effective March 4, 1961, was made subject to an expiration date of March 4, 1962. In the aforesaid decision the Commission concluded that the class rates theretofore applicable were too high to permit the free movement of wood chips and that minimum rates for the commodity in question should be established at reasonable levels consistent with current costs of performing the service. The record in Petition for Modification No. 185, the Commission said, did not provide a suitable basis for determining such rate levels and the staff was assigned to make the necessary cost and rate studies.

By Petitions for Modification Nos. 242 and 244 Fibreboard Paper Products Corporation and Masonite Corporation, respectively, seek an extension of the aforesaid expiration date for an additional period of three years.

It appears, and we hereby find, that the above-mentioned cost and rate studies will not be completed in sufficient time to

make effective by March 4, 1962, minimum rates predicated thereon. We further find that the circumstances which justified, in Decision No. 61338, the temporary exemption from minimum rates of the transportation of wood chips remain substantially unchanged. We further find that reliable predictions as to future changes in those circumstances for more than one year beyond the present expiration date of said exemption are not practicable.

Based upon the foregoing findings, we conclude that extension of the expiration date in question for an additional period of one year has been justified. To this extent the petitions will be granted.

Therefore, good cause appearing,

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 4, 1962, Thirty-first Revised Page 15, 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 this order.

3. In all other respects Petitions for Modification Nos. 242 and 244 in Case No. 5432 are hereby denied.

4. 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 26th day of JANUARY, 1962.

Coventry B. Page

President

George T. Grover

Frederic B. Halbluff

_____ Commissioners

Peter E. Mitchell
Commissioner S C. Lyn Fox, being necessarily absent, did not participate in the disposition of this proceeding.

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
APPLICATION OF TARIFF - COMMODITIES (Concluded)		
(Items Nos. 40 and 41)		
*41 Sea Shells, crushed, ground, powdered or disintegrated (Subject to Note 5), Seeds, cotton, Seeds, field, as described in Note 6, Shell Marl, crushed, ground, or powdered, Shells, walnut, Shipments weighing 100 pounds or less when delivered from retail stores or retail warehouses where the property has been sold at retail by a retail merchant, or when returned to the original retail store shipper via the carrier which handled the outbound movement (Subject to Note 3), Shipments weighing 10 pounds or less when transported by carriers which operate no vehicles exceeding a licensed weight of 4,000 pounds (Subject to Note 12), Sulphur,		United States mail transported for the Post Office Department under contract, Used Property, viz.: household goods, personal effects, furniture, musical instruments, radios, and office and store fixtures and equipment, as described in and for which rates are provided in Minimum Rate Tariff No. 4-A, and used property as described therein of state, county or municipal governments, or transported under an agreement whereby the governments contracted for the carrier's services, Vegetables, fresh or green (not cold pack nor frozen), Vegetables, dried, viz.: Beans (except Mesquite), Lentils, Onions, Peas (except Cow Peas), Pepper Pods, Voting Booths, Ballot Boxes, Election Tents and Election Supplies, when transported from or to polling places.
<p>NOTE 1.-Includes only used empty carriers which are returning from an outbound paying load of traffic for which rates are not provided in this tariff, or which are being forwarded for a return paying load of traffic for which rates are not provided in this tariff (Subject to Rule No. 180 of the Exception Sheet).</p>		
<p>NOTE 2.-Exemption applies only when commodities flagged subject to this note are shipped in milk shipping cans, in bottles in cases or crates, or in bulk in tanks.</p>		
<p>NOTE 3.-Exemption applies only when the distance between point of origin and destination does not exceed 35 miles, computed in accordance with the provisions of Item No. 100.</p>		
<p>NOTE 4.-Exemption applies only as to dried fruit in the natural state and which has not been cleaned, washed, stemmed or otherwise prepared or partially prepared for human consumption.</p>		
<p>NOTE 5.-Exemption does not apply to sea shells as described in Item No. 653.</p>		

NOTE 6.-Exemption applies only to field seeds, viz.:

Adzuki,	Fenugreek,	Popcorn,
Alfalfa,	Fescue grass,	Proso,
Bahia grass,	Foxtail, meadow,	Redtop,
Bean, field, horse,	Guar,	Reed canary grass,
lima, mat or mung,	Guinea grass,	Rescue grass,
Beet, field or sugar,	Harding grass,	Rhodes grass,
Bentgrass,	Kudzu,	Ryegrass,
Bermuda grass,	Lespedeza,	Safflower,
Bluegrass,	Lupine,	Sainfein,
Bluestem,	Medic, black,	Sand dropseed,
Brone, bunch or	Molasses grass,	Sesbania,
smooth,	Mustard (except	Soybean,
Carpet grass,	wild mustard),	Sudan grass,
Chick pea (garbanzo),	Napier grass,	Sweet vernalgrass,
Clover (except sweet	Oatgrass, tall,	Timothy,
clover),	Orchard grass,	Velvet bean,
Creeping bent,	Pea, Austrian win-	Velvet bent,
Dallis grass,	ter, Canadian	Velvet grass,
Dog's-tail, crested,	field, Tangier or	Wheatgrass, crested
Doliches,	wedge,	or slender.

NOTE 8.-Exemption will not apply to transportation for which rates are provided in Items Nos. 315 and 605.

NOTE 11.-Exemption applies only to transportation between points within a radius of 25 miles of the intersection of 1st and Main Streets, Los Angeles, said mileage to be computed in accordance with the provisions of Item No. 100.

NOTE 12.-Exemption applies only to transportation between points located within the Los Angeles Basin Territory as described in Item No. 270.

*NOTE 13.-Exemption expires with March 4, 1963.

* Change, Decision No. 63192

EFFECTIVE MARCH 4, 1962

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

Correction No. 1220