

ORIGINAL

Decision No. 63405

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

| | |
|--|----------------------------------|
| In the Matter of the Investigation into) | |
| the rates, rules, regulations, charges,) | Case No. 5433 |
| allowances and practices of all common) | Petition for Modification No. 17 |
| carriers, highway carriers and city) | (Filed October 5, 1961) |
| carriers relating to the transportation) | (Amended February 19, 1962) |
| of livestock and related items (com-) | |
| modities for which rates are provided) | |
| in Minimum Rate Tariff No. 3-A).) | |

SUPPLEMENTAL OPINION AND ORDER

California Trucking Associations, Inc., by Petition for Modification No. 17, as amended, seeks to have the present minimum rates based on minimum weights of 35,000 and 38,000 pounds as set forth in Item No. 270 of Minimum Rate Tariff No. 3-A for straight shipments of cattle made applicable also to mixed shipments of cattle and hogs or calves when such mixed shipments do not include more than two-thirds hogs or calves by head count. Petitioner also requests that common carriers be 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 carry into effect such modifications.

Petitioner alleges that its proposed modifications in the minimum rates set forth a basis for providing just and reasonable rates on certain movements of livestock and their offspring; that such movements are common in parts of the state at certain seasons of the year, particularly in the spring; and that modern equipment capacities permit the handling of such combined shipments as suggested if reasonable limitations upon the proportions of offspring to the entire shipment are established.

Petitioner states that the proposed revision will properly protect carrier equipment capacities and revenues; that it will afford to shippers of such mixed shipments the lowest possible just and reasonable rates; that it will result in no increases in rates or charges; and that it is a matter desired by, and in the interest of, both shippers and carriers.

The petition shows that on or about October 3, 1961, and February 16, 1962, copies thereof were mailed to parties known to be interested. No objection to its being granted has been received. By letter dated February 20, 1962, the California Farm Bureau Federation informed the Commission that it supports petitioner's proposal. By letter dated March 1, 1962, the California Cattlemen's Association stated that it believes petitioner's proposal to be in the best interest of its members and concurs in the request for disposition of the petition by ex parte order as soon as possible. ✓
✓
✓

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable and that the resulting minimum rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation of mixed shipments of cattle and hogs or calves. Minimum Rate Tariff No. 3-A will be revised accordingly. This is a matter in which a public hearing is not necessary.

Good cause appearing,

IT IS ORDERED that:

(1) Minimum Rate Tariff No. 3-A (Appendix A to Decision No. 55587, as amended) is hereby further amended by incorporating therein, to become effective April 21, 1962, Sixth Revised Page 18, which revised page is attached hereto and by this reference made a part hereof.

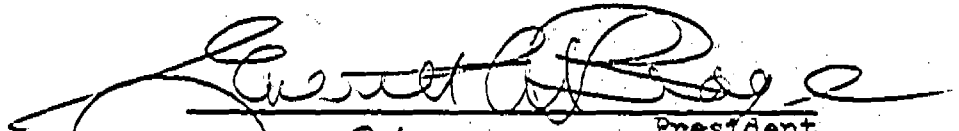
(2) Tariff publications authorized to be made by common carriers as a result of the order herein may be filed not earlier than the effective date hereof, and may be made effective on not less than ten days' notice to the Commission and to the public if filed not later than sixty days after the effective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

(3) Common carriers, in establishing the minimum rates, charges, rules and regulations 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 minimum rates, charges, rules and regulations published under this authority shall make reference to the prior orders authorizing long-and-short-haul departures and to this order.


In all other respects, the aforesaid Decision No. 55587, as amended, shall remain in full force and effect.

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

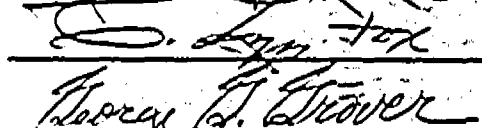
Dated at San Francisco, California, this 13th day of March, 1962.




President



S. Lynn Fox



Harry J. Hoover



Commissioners

| SECTION NO. 2 - DISTANCE COMMODITY RATES (In Cents per 100 Pounds) | | | | | | | | Item No. |
|---|--------------------------|----------------------|--------|--------|--|--|--|-------------|
| CATTLE, viz.: Bulls, Calves, Cattle, Cows, Dairy Cattle, Heifers, Oxen and Steers. | | | | | | | | |
| HOGS, viz.: Barrows, Bears, Butcher Hogs, Feeder Pigs, Gilts, Hogs, Pigs, Sows, Stags and Swine. | | | | | | | | |
| (For Application of Rates See Items Nos. 30 and 40) | | | | | | | | |
| MILES | Minimum Weight in Pounds | | | | | | | Item No. |
| | But Not Over | Any Quan- tity | 10,000 | 20,000 | 30,000 (See Note 1, Item No. 275) | (1) 35,000 (See Note 2, Item No. 275) | (1) 38,000 (See Note 3, Item No. 275) | |
| 0 | 3 | 19 | 10 | 9 | 6 | 5½ | 5 | 5 |
| 3 | 5 | 20 | 11 | 10 | 7 | 6 | 5½ | 5½ |
| 5 | 10 | 22 | 12 | 11 | 8 | 7 | 6 | 6 |
| 10 | 15 | 24 | 13 | 12 | 9 | 8 | 7 | 7 |
| 15 | 20 | 27 | 15 | 14 | 10 | 9 | 8 | 8 |
| 20 | 25 | 30 | 17 | 15 | 11 | 10 | 9 | 9 |
| 25 | 30 | 33 | 19 | 17 | 12 | 11 | 10 | 10 |
| 30 | 35 | 36 | 21 | 18 | 13 | 12 | 11 | 11 |
| 35 | 40 | 39 | 25 | 19 | 14 | 13 | 12 | 11½ |
| 40 | 45 | 42 | 25 | 21 | 15 | 14 | 13 | 12½ |
| 45 | 50 | 45 | 27 | 22 | 16 | 15 | 14 | 13 |
| 50 | 60 | 48 | 30 | 24 | 18 | 17 | 16 | 15 |
| 60 | 70 | 51 | 33 | 26 | 20 | 19 | 17 | 16 |
| 70 | 80 | 54 | 36 | 29 | 22 | 21 | 19 | 17½ |
| 80 | 90 | 57 | 39 | 32 | 24 | 23 | 21 | 19 |
| 90 | 100 | 60 | 42 | 34 | 26 | 25 | 23 | 20 |
| 100 | 110 | 62 | 46 | 37 | 28 | 26½ | 25 | 22 |
| 110 | 120 | 64 | 50 | 40 | 30 | 28 | 26½ | 23 |
| 120 | 130 | 66 | 54 | 43 | 32 | 30 | 28 | 24½ |
| 130 | 140 | 68 | 58 | 45 | 34 | 31½ | 29½ | 26 |
| 140 | 150 | 71 | 61 | 48 | 36 | 33 | 31 | 27½ |
| 150 | 160 | 74 | 65 | 51 | 38 | 34 | 32 | 29 |
| 160 | 170 | 78 | 68 | 53 | 40 | 36 | 34 | 30½ |
| 170 | 180 | 82 | 72 | 56 | 42 | 38 | 36 | 32 |
| 180 | 190 | 86 | 75 | 59 | 44 | 40 | 38 | 34 |
| 190 | 200 | 91 | 79 | 62 | 46 | 42 | 40 | 35½ |
| 200 | 220 | 96 | 84 | 66 | 49 | 45 | 43 | 38 |
| 220 | 240 | 102 | 90 | 70 | 52 | 48 | 45 | 41 |
| 240 | 260 | 108 | 96 | 74 | 56 | 51 | 48 | 44 |
| 260 | 280 | 114 | 103 | 78 | 59 | 55 | 52 | 48 |
| 280 | 300 | 120 | 110 | 82 | 63 | 59 | 55 | 51 |
| 300 | 325 | 127 | 117 | 88 | 68 | 63 | 59 | 55 |
| 325 | 350 | 134 | 126 | 93 | 72 | 67 | 63 | 59 |
| 350 | 375 | 141 | 134 | 99 | 77 | 71 | 67 | 64 |
| 375 | 400 | 148 | 142 | 104 | 82 | 75 | 71 | 68 |

*270

| | | | | | | | | |
|---|-----|-----|-----|-----------------|-----|-----|-----|-----|
| 400 | 425 | 155 | 150 | 110 | 87 | 79 | 75 | 72 |
| 425 | 450 | 162 | 157 | 116 | 92 | 83 | 79 | 76 |
| 450 | 475 | 169 | 165 | 121 | 97 | 88 | 84 | 81 |
| 475 | 500 | 176 | 172 | 127 | 102 | 93 | 89 | 86 |
| 500 | 525 | 183 | 180 | 132 | 107 | 97 | 93 | 91 |
| 525 | 550 | 190 | 186 | 138 | 112 | 101 | 97 | 95 |
| 550 | 575 | 197 | 192 | 143 | 117 | 105 | 101 | 99 |
| 575 | 600 | 204 | 198 | 149 | 122 | 109 | 105 | 103 |
| For distances over 600 miles add for each 25 miles or fraction thereof in excess of 600 miles | | 7 | 6 | 5 $\frac{1}{2}$ | 5 | 4 | 4 | 4 |

#(1) Does not apply on straight shipments of hogs or calves nor on mixed shipments including more than two-thirds hogs or calves by head count.

(2) Rates apply only:

- (a) To the transportation of cattle to packing houses or slaughter houses for slaughter, subject to the varying minimum weights per shipment as set forth in Item No. 275 (Note 4), and
- (b) When the actual weight of the shipment is confirmed by a public weighmaster's certificate.

(3) Rates are not subject to the provisions of:

- (a) Item No. 130(2), "Shipments of livestock for which the carrier may, but is not required to, obtain a public weighmaster's certificate;"
- (b) Item No. 140(2), "Determination of weights and charges;"
- (c) Item No. 150, "Provided weights per animal;"

and do not apply to the transportation of cattle in mixed shipments with other livestock.

(Continued in Item No. 275)

* Change
Addition
o Reduction

)
)
)

Decision No.

63406

EFFECTIVE APRIL 21, 1962

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

Correction No. 24