

**ORIGINAL**

Decision No. 63609

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 trans- )  
portation 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. 259  
(Filed March 27, 1962)

OPINION AND ORDER

By this petition, the California Trucking Associations, Inc., seeks the establishment of an exception rating in Minimum Rate Tariff No. 2 as follows:

"FREIGHT CARTS, hand, metal, KD flat, wheels on or off, subject to Note 1 of Item 300 of the Exception Sheet:

Less truckload . . . . . 1/2 of 4"

The exception rating will be applicable only to these carts, second-hand, empty, returning, or when shipped for return paying load.

Petitioner also requests that common carriers be authorized to establish the exception rating in their tariffs and to depart from the long-and-short-haul provisions of the Constitution of California and the Public Utilities Code to the extent necessary to carry into effect the sought modification.

Petitioner states that carriers and shippers have been developing the use of freight carts for unit handling of freight; that such unitization minimizes repetitive handling of packages and economizes on labor; and that, in effect, the freight carts are thus being used as a substitute for a carrier or container. Petitioner

asserts that the full economic potential of this technological development is restricted by present tariff provisions in Minimum Rate Tariff No. 2, which has no exception rating on freight carts returning empty but lists an exception rating on other types of containers in similar service. Petitioner avers that the sought exception rating is desired by and will be in the interest of both shippers and carriers.

Petitioner has informed the Commission in writing that copies of the petition were mailed to various interested parties. No objection to its being granted has been received.

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 herein involved. This is a matter in which a public hearing is not necessary. The petition will be granted.

Good cause appearing,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix "D" to Decision No. 31606, as amended) is hereby further amended by incorporating therein, to become effective June 9, 1962, Thirty-fifth Revised Page 5 and Third Revised Page 37-B, which revised pages are attached hereto and by this reference made a part hereof.


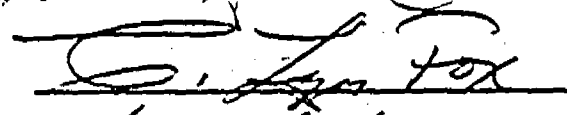


2. Tariff publications authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this order, and may be made effective on not less than ten days' notice to the Commission and to the public if filed not later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

3. Common carriers, in establishing and maintaining the exception 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; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the exception rating published under this authority shall make reference to the prior orders authorizing the 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.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 24<sup>th</sup> day of April, 1962.

  
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President  
  
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S. L. Fox  
  
\_\_\_\_\_  
George H. Hoover  
  
\_\_\_\_\_  
Frederick B. Hall  
Commissioners

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.

INDEX OF COMMODITIES (Continued)			
COMMODITY	Item Number	COMMODITY	Item Number
Candles (M)	377.5,723-726	Compounds, carbon, green or sludge removing (M)	377.5,723-726
Candy	360	Compounds, Flavoring	360
Candy coating, other than chocolate	334-3/4	Compounds, floor hardening (M)	377.5,723-726
Canned Goods	320,620,630	Compounds, Food Curing, Preserving or Seasoning	360
Carts, wooden	365	Compounds, Lard	360
Caps, Sand Line	365	Compounds, Oil Well Drilling Mud	365
Carriers(used packages)	330	Compounds, paint, lacquer or varnish reducing, removing or thinning	377
*Carts, Freight	330	Concentrate, Flavin	652-654½
Casing Shoes	365	Confectionery	334-3/4,360
Castings, Swing Post	365	Containers, Aluminium Bulk Shipping	330
Catchers, Tubing	365	Containers, Beverage	330
Catsup	320	Corn	320,652-654½
Cellulose film	332	Corn Cobs	652-654½
Cement, pipe fitting (M)	377.5,723-726	Corn, Kaffir	652-654½
Cereal and Nuts combined	360	Corn Steep Water	652-654½
Cereal Food	360	Corundum	302
Chaff	652-654½	Countershafts, Oil Well	365
Chap Sticks	395	Covers, cotton cloth	335
Charcoal (M)	652-654½	Covers, Thief Hole	365
Cheese (including cottage and pot cheese) (M)	315,605	Cow Peas	652-654½
Cheese and Macaroni	360	Cranes, Dorrick	365
Chili, ground	320	Cross Arms, wooden	690,710
Chloride of Lime Bleach	730	Crystals, Citrus Fruit Juice	360
Chocolate	360	Cylinders, Well Pump	365
Chocolate Coating	360	Darso	652-654½
Chops	652-654½	Derrick Cranes	362
Chowders	320	Derricks	365
Citrus Fruit Juice		Dessert Preparations	360
Powders or Crystals	360	Diglycerides of Fat-forming Acids	360, 730
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Clay, Fire (M)	365	Dough, biscuit, prepared	336
Clippings	652-654½	Drain Pipe Solvent	730
Cloth, abrasive	302	Dressing, Automobile Top (M)	377.5,723-726
Clothing, staple work	333	Dressing, rubber (M)	377.5,723-726
Clover	652-654½	Dressing, Salad	320
Coating, candy, other than chocolate	334-3/4	Dressing, shoe (M)	377.5,723-726
Coating, Chocolate	360	Drill Bitheads	365
Cocoa	360	Drink, fruit	320
Coconut, prepared	333.5	Drugs	395
Coffee	360	Dry Milk Solids	320
Coffee, extract of (condensed coffee), dry	334,360	Durra	652-654½
Coffee Substitutes	360	Dust, Elevator	652-654½

Coloring, Confectioners'	360	Earths, Infusorial or	
Compound, cleaning (M)	377.5,723-726	Diatomaceous	650
Compound, electrical insulating (M)	377.5,723-726	Egg Yolk	320
Compound, malt, milk and cocoa	360,375	Eggs, Shelled	360
Compound, metal cutting, drawing or drilling (M)	377.5,723-726	Egyptian Wheat	652-654 $\frac{1}{2}$
Compound, paint thinning (M)	377.5,723-726	Elevator Dust	652-654 $\frac{1}{2}$
Compound, radiator cleaning (M)	377.5,723-726	Elevators, Pipe or Sucker Rod	365
Compound, rust preventing or removing (M)	377.5,723-726	Emery	302
Compound, type cleaning (M)	377.5,723-726	Emmer	652-654 $\frac{1}{2}$
Compound, water-proofing (M)	377.5,723-726	Engines (M)	365
Compounds, anti-freeze (M)	377.5,723-726	Ether (M)	377.5,723-726
Compounds, Bleaching, Cleaning, Scouring, Washing	334 $\frac{1}{2}$ ,730	Explosives	337
Compounds, buffing or polishing	334 $\frac{1}{2}$	Extorminators, vermin (M)	377.5,723-726
		Extracts	360
		Extracts, coffee (condensed coffee), dry	334,360
		Farina	652-654 $\frac{1}{2}$
		Farina and Wheat Germ	652-654 $\frac{1}{2}$
		Food, Animal	338,620-630, 652-654 $\frac{1}{2}$
		Feed, Barley Hay	652-654 $\frac{1}{2}$
		Food, Bean Straw (M)	652-654 $\frac{1}{2}$

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

# Addition, Decision No. 63609

EFFECTIVE JUNE 9, 1962

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

Correction No. 1227

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
	EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET (Continued)	Class Rating
*330	<p>Carriers (used packages), second-hand, empty, as described in and subject to the provisions of Item No. 300 of the Exception Sheet, and</p> <p>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 -----</p> <p>Carriers, malt beverage, viz.: Barrels, half barrels, casks, drums, hogsheds, kegs, puncheons, tierces, bottles, bottle carriers, pallets, subject to the provisions of Item No. 300 of the Exception Sheet.  Less carload -----</p> <p>Carload:  Minimum Weight 20,000 pounds -----</p> <p>Freight Carts, hand, metal, knocked down flat, wheels on or off, subject to Note 1 of Item No. 300 of the Exception Sheet.  Less carload -----</p> <p>(1) Does not apply to Carriers, malt beverage.  (2) Subject to minimum rate of 29 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.  (3) Not to exceed less carload rate.</p>	<p>(1)(2)<math>\frac{1}{2}</math> of 4</p> <p>(1)(3)B  (1)(3)E</p> <p>Western Classification Ratings apply</p> <p>D</p> <p>(1)<math>\frac{1}{2}</math> of 4</p>
332	<p>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 8<math>\frac{1}{2}</math> inches in diameter, or in sheets not further processed than cut to size, in boxes or crates, or in wrapped bundles or rolls.</p> <p>Less carload -----</p>	<p>4</p>

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:

333

Denim	Drills	Flannels	Corduroys
Jeans	Chambrays	Coverts	Duck
Twills	Cottonades	Poplins	Moleskins
			Whipcords

3

Note 1.-Includes work jackets with blanket lining made of cotton and not to exceed 50% of wool shoddy.

\* Change  
# Addition  
o Reduction

} Decision No. 63609

EFFECTIVE JUNE 9, 1962

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 1228