

Decision No. 63308

ORIGINAL

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
Petition for Modification
No. 262
(Filed April 24, 1962)

OPINION AND ORDER

By Decision No. 55368 dated August 5, 1957, the Commission established in Minimum Rate Tariff No. 2 a description and exception ratings applicable to the transportation of "Pizza Pie Mix." Decision No. 61256 dated December 28, 1960, revised that description to read as follows:

"Pizza Pie Mix, consisting of flour, yeast and sauce with or without cheese, in combined packages in boxes (not less than 55% of the gross weight of the combined packages shall be that of the ingredients named, in metal cans)."

American Home Foods, Division of American Home Products Corporation, is a manufacturer and distributor of canned or pre-served foodstuffs, including pizza pie mix. By this petition it seeks to reduce from 55 to 50 the above percentage requirement of ingredients named, in metal cans. The change results in a reduction.

In support of the proposal, petitioner states that it has developed new manufacturing techniques for pizza pie mix which will not change the original components in the package but will alter the relative percentage of the ingredients named, in metal cans, to the gross weight of the combined package. Petitioner avers that, despite this modification in the manufacturing process, the

historic essential transportation characteristics will remain unchanged; that the reduction in the percentage requirement will not alter the basic identity of pizza pie mix; and that the granting of the petition will prevent a hardship in petitioner's planned production and distribution of this product within California.

A copy of the petition was mailed to the California Trucking Associations, Inc., on or about May 1, 1962. No objection to the granting of the petition 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 for the transportation of pizza pie mix will be just, reasonable and nondiscriminatory. A public hearing is not necessary. The petition will be granted. Minimum Rate Tariff No. 2 will be revised accordingly.

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 July 28, 1962, Third Revised Page 37-D 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 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 page incorporated in this order.

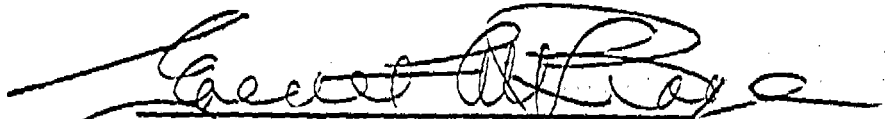
3. Common carriers are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the

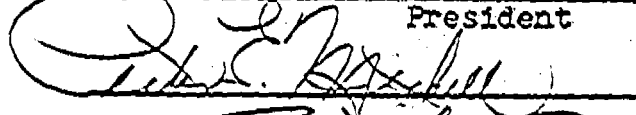
extent necessary to adjust long-and-short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the ratings published under this authority shall make reference to the prior orders authorizing long-and-short-haul departures and to this order.


In all other respects, the aforesaid Decision No. 31606, as amended, shall remain in full force and effect.

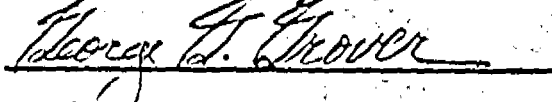
This order shall become effective twenty days after the date hereof.


Dated at San Francisco, California, this 12th day of June, 1962.



President








Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
	EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET (Continued)	Class Rating
ø 345	<p>FOODSTUFFS FOR HUMAN CONSUMPTION, viz.:</p> <p>Fish, cooked, pickled or preserved, with or without fruit or vegetable ingredients, in bulk in boxes,</p> <p>Meats, cooked, cured or preserved, with or without cereal or vegetable ingredients, in bulk, in crates or boxes, or in inner containers or packages, other than those specified in Item No. 320, in crates or boxes,</p> <p>Milk (not malted), Buttermilk (not casein), Dry Milk Solids, powdered or flaked, or Whey, condensed or powdered, in inner containers of earthenware, glass, metal cans or packages, in outer containers of boxes; or in bulk in barrels, fibre cans, boxes, double bags or multiple-wall paper bags,</p> <p>Pizza Pie Mix, consisting of flour, yeast and sauce with or without cheese, in combined packages in boxes (not less than 50 percent of the gross weight of the combined packages shall be that of the ingredients named, in metal cans),</p> <p>Sandwich Spreads, including cheese spreads, in paper cartons in boxes,</p> <p>Spaghetti and Cheese or Noodles and Cheese, with sauce, in combined packages in boxes (not less than 55 percent of the gross weight of the combined packages shall be that of the ingredients named, in metal cans),</p> <p>Less carload -----</p> <p>Carload:</p> <p>Minimum Weight 30,000 Pounds -----</p> <p>Minimum Weight 36,000 Pounds -----</p> <p>Minimum Weight 42,000 Pounds -----</p> <p>Minimum Weight 45,000 Pounds -----</p>	<p>90% of 4</p> <p>5</p> <p>B</p> <p>C</p> <p>(1)D</p>
	<p>(1) Not applicable to shipments which are subject to charges for temperature control service.</p> <p>Not subject to Item No. 300, see Note 1.</p> <p>NOTE 1.--(a) Rates or ratings applicable on shipments in boxes will apply also to such shipments in fibreboard boxes in metal strapped bundles or crates.</p> <p>(b) Rates or ratings applicable to shipments in barrels will apply also to such shipments in hogsheads pipes, puncheons, tierces, casks, drums, half-barrels, quarter-barrels, sixth-barrels, eighth-barrels or kegs.</p>	

350	<p>Fruit, Dehydrated, Dried or Evaporated, as described under that heading in the Western Classification. (See Item No. 40)</p> <p>Less carload -----</p> <p>Carload:</p> <p>Minimum Weight 30,000 pounds -----</p> <p>Minimum Weight 42,000 pounds -----</p>	<p>90% of 4</p> <p>5</p> <p>C</p>
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355	<p>Hay, Fodder, bean, cane, corn or pea, Leaves, cactus, dried, Straw, In Machine Fressed Bales:</p> <p>Less carload -----</p> <p>Carload:</p> <p>Minimum Weight 30,000 pounds -----</p> <p>Minimum Weight 40,000 pounds -----</p> <p>(1) Subject to Note 1 of Item No. 658.</p> <p>(2) Not applicable to the transportation of hay between points for which rates are provided in Item No. 658.</p> <p>NOTE.-Except as provided in paragraphs (d) and (e) of Note 1 of Item No. 658, one stop in transit for inspection and/or receipt of delivery instructions will be permitted in connection with each shipment, subject to a free time allowance of one hour for the stop. Charges for time in excess of one hour for the stop shall be assessed in accordance with the provisions of Items Nos. 140 and 145. Distances shall be computed via the transit point.</p>	<p>(1)4</p> <p>(1)C</p> <p>(1)(2)D</p>
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♂ Change)
 ♂ Reduction) Decision No. **63808**

EFFECTIVE JULY 28, 1962

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

Correction No. 1236