

Decision No. 65474

**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. 297  
(Filed April 2, 1963)

OPINION AND ORDER

Item No. 745 of Minimum Rate Tariff No. 2 provides three scales of minimum rates based on minimum weights of 23,000, 33,000 and 43,000 pounds for the transportation of granulated sugar in bulk.

By this petition California Trucking Association seeks adjustments in Item No. 745 to (1) increase the current minimum weights of 23,000 to 25,000 pounds and 33,000 to 35,000 pounds, but to maintain the current 23,000-pound and 33,000-pound rate scales, and (2) add a scale of reduced rates subject to a minimum weight of 50,000 pounds and revise the 43,000-pound rate scale to effect proper relationships with the proposed 50,000-pound rate scale. Petitioner's proposal is specifically set forth in Exhibit B of the petition.

Petitioner states that it is informed and believes that the present provisions of Item No. 745 do not adequately reflect the current and foreseeable future needs of shippers and carriers of bulk sugar; that technological improvements since the original establishment of this tariff provision permit the transportation of bulk-sugar in substantially larger truckload quantities than those

contemplated in the item; and that lack of a truckload minimum weight reasonably related to current carrying capacities deprives carriers of complete economic utilization of modern equipment, and deprives shippers of the lower rates possible through use of such increased minimums.

According to the petition, an investigation of the cost and economic factors surrounding the provisions in question has been conducted by petitioner's Research Division. The results of the investigation are outlined in a verified statement attached as Exhibit A to the petition.

The statement says that important changes have taken place in recent years in the practices of sugar shippers and carriers. The capacity of sugar receivers to order and unload greater quantities of sugar has increased substantially. This, the statement relates, is due partially to the enlargement of the basic market as more receivers have turned to bulk handling as a cost cutting device. Additionally, it reflects the improvement in storage and receiving facilities which the receivers have found it prudent to establish.

According to the statement, the trailing equipment utilized for transportation has been improved through technological breakthroughs in the trailer manufacturing field. This has resulted in the ability of the motor carriers to transport bulk sugar in quantities exceeding 50,000 pounds, limited only by the legal weight limits on California highways. It is asserted that the investigations of petitioner's Research Division have disclosed that motor carriers are regularly transporting bulk sugar in loads as high as 53,000 pounds and that the predominance of modern equipment is capable of averaging 50,000 pounds per load. It is also asserted

that the high seasonal volume of sugar is such that shippers are utilizing the larger capacity equipment in many instances, regardless of the volume of freight rate, because of other savings involving loading and unloading; and that the full potential of modern equipment is not being realized because of the now obsolete truckload minimum provided in Item No. 745.

According to the verified statement, an analysis of a Commission staff study of the transportation of bulk sugar made in 1958 and a relationship of equipment costs today compared with 1958 was made to determine the adjustments in costs and rates which would be possible at varying minimum weights. The statement asserts that agreement was reached by shipper and carrier interests that minimum disruption of existing distribution practices and revenue levels would be possible by establishing reduced rates based on a new truckload minimum weight of 50,000 pounds, and by limiting other changes in existing weight brackets and rates to those necessary to reflect wage adjustments becoming effective with July 1, 1963.

The statement says that, as proposed, the revisions in the bulk sugar rates reflect the considered opinions of carriers and shippers experienced in this specialized field. The levels of rates and minimum weights assertedly have been analyzed by staff members of petitioner's Research Division; recommended as reasonable to member sugar-haulers, and adopted unanimously by their chosen representatives. According to the statement, inquiry among sugar shippers indicates similar acquiescence in the need for such revisions in the item to reflect current conditions.

A copy of the petition was mailed by petitioner to various interested parties. Three shippers, Union Sugar, Holly Sugar Corporation and California & Hawaiian Sugar Refining Corporation,

have informed the Commission by letter that they support the granting of the petition.

In the circumstances, it appears, and the Commission finds, that petitioner's proposals are reasonable and that the resulting minimum rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation of granulated sugar in bulk. This is a matter in which a public hearing is not necessary. The petition will be granted.

Question has arisen concerning the application of certain loading and unloading charges in Minimum Rate Tariff No. 2 in connection with the alternative application of common carrier rates for the transportation of granulated sugar in bulk. The tariff provision will be amended to clarify this matter.

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 6, 1963, Twenty-second Revised Page 26 and Fourth Revised Page 52 attached hereto and by this reference made a part hereof.

2. Tariff publications required 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 on not less than ten days' notice to the Commission and to the public and such tariff publications shall be made effective not later than July 6, 1963; and the tariff publications which are authorized but not required 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 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 rates published under this authority shall make reference to the prior orders authorizing 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.

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

Dated at San Francisco, California, this 28<sup>th</sup> day of May, 1963.

*[Signature]* President  
*[Signature]* Acting President  
*Fredrick B. Holoboff*  
*William W. Bunnell*

Commissioners

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.

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

Item No.	SECTION NO 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;"><b>ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER RATES</b></p> <p>In the event under the provisions of Items Nos. 200 to 230, inclusive, a rate of a common carrier is used in constructing a rate for highway transportation, and such rate does not include accessorial services performed by the highway carrier the following charges for such accessorial services shall be added (except as otherwise provided in connection with individual rates):</p> <p>§(1) For loading of carrier's equipment 3 cents per 100 pounds assessed on the weight on which transportation charges are computed (See Notes 1, 2, 4, 5, 6 and 7);</p> <p>§(2) For unloading of carrier's equipment, 3 cents per 100 pounds assessed on the weight on which transportation charges are computed (See Notes 1, 2, 4, 5, 6 and 7);</p> <p>(4) For C.O.D. service - charges provided in Item No. 180;</p> <p>(5) For other accessorial services - charges provided in Item No. 145;</p> <p>§240 (6) Split pickup or split delivery shall not be accorded unless included in the common carrier rate (See Items Nos. 220 and 230 for exceptions) except that, on shipments of dried fruit, split delivery may be accorded, subject to the additional charges named in Note 1 of Item No. 170, when all component parts of the shipment are destined to one or more docks, piers or wharves at:</p> <p style="padding-left: 40px;">(a) San Francisco only, or (b) Alameda, Oakland and/or Richmond, or (c) Stockton only.</p> <p>NOTE 1.-The charges for loading and/or unloading shall apply in all circumstances except:</p> <p>(a) When rates provided in this tariff are applied in combination with common carrier rates under the provisions of:</p> <p style="padding-left: 40px;">(1) Paragraph (a) of Item No. 210, only the accessorial charge for unloading shall be assessed,</p> <p style="padding-left: 40px;">(2) Paragraph (b) of Item No. 210, only the accessorial charge for loading shall be assessed, and</p> <p style="padding-left: 40px;">(3) Paragraph (c) of Item No. 210, no charge for either loading or unloading shall be assessed.</p> <p>(b) When the shipment is loaded into and/or unloaded from the carrier's equipment as follows:</p> <p style="padding-left: 40px;">(1) On shipments of any commodity, in bulk, when loaded and/or unloaded by gravity.</p> <p style="padding-left: 40px;">(2) By the consignor and/or consignee as follows:</p> <p style="padding-left: 80px;">(a) With power equipment as described in Item No. II, or (b) When the carrier's equipment is a trailer or semi-trailer left for loading and/or unloading without the presence of carrier's employees.</p>

(3) Provided that on shipments described under subparagraphs (1) and (2) above the Shipping Document (Freight Bill) issued pursuant to Item No. 255 indicates that the shipment was loaded and/or unloaded under one of the circumstances described in subparagraphs (1) and (2) above.

NOTE 2.-When shipments consisting in whole or in part of Oil, Water or Gas Well Outfits and Supplies, and other Articles, as described in Item No. 365, moving between points located in Los Angeles and Orange Counties on the one hand and points located in California, Salinas, Fresno and south thereof, on the other hand, as transported:

(a) Under the provisions of Item No. 200, a charge of  $3\frac{1}{2}$  cents per 100 pounds shall be added for loading, and a charge of  $3\frac{1}{2}$  cents per 100 pounds shall be added for unloading;

(b) Under the provisions of Paragraph (a) of Item No. 210, a charge of  $3\frac{1}{2}$  cents per 100 pounds shall be added for unloading;

(c) Under the provisions of Paragraph (b) of Item No. 210, a charge of  $3\frac{1}{2}$  cents per 100 pounds shall be added for loading; or

(d) Under the provisions of Paragraph (c) of Item No. 210, no additional charge shall be added for loading or unloading.

NOTE 4.-When shipments consisting in whole or in part of Liquors, alcoholic, N.O.I.B.N., as described under that heading in the Western Classification, moving between San Francisco Territory and Los Angeles Territory are transported:

(a) Under the provisions of Item No. 200, a charge of  $3\frac{1}{2}$  cents per 100 pounds shall be added for loading, and a charge of 3 cents per 100 pounds for unloading;

(b) Under the provisions of Paragraph (a) of Item No. 210, a charge of 3 cents per 100 pounds shall be added for unloading;

(c) Under the provisions of Paragraph (b) of Item No. 210, a charge of  $3\frac{1}{2}$  cents per 100 pounds shall be added for loading; or

(d) Under the provisions of Paragraph (c) of Item No. 210, no additional charge shall be added for loading or unloading.

NOTE 5.-For loading or unloading of Cement, Portland (building), a charge of 3 cents per 100 pounds shall be added.

NOTE 6.-For pickup or delivery service at a point not at street level and where the minimum weight is less than 10,000 pounds, the loading or unloading provisions of this item will not apply and the additional charge provided in Item No. 120 will apply.

\*NOTE 7.-For loading or unloading of granulated sugar in bulk, the provisions of this item will not apply.

∅ Change )  
\* Addition )      Decision No.    **65474**

EFFECTIVE JULY 6, 1963

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 1321

Item No.	SECTION NO. 3				COMMODITY RATES (Continued)				
					In Cents Per 100 Pounds				
	SUGAR, Granulated, in bulk (See Item No. 755 for application of rates.)								
	MILES		RATES						
Over	But Not Over	MINIMUM WEIGHT							
		◇25,000 Pounds		◇35,000 Pounds		43,000 Pounds		*650,000 Pounds	
		(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
	0 3	10	9½	8½	8	08	07	7½	6½
	3 5	11	10	9½	9½	09	8	8½	7½
	5 10	12	12½	10½	10½	10	9	9½	8½
	10 15	14½	13½	12	11	011	10	10½	9½
	15 20	16½	16	13½	12½	012	11	11½	10½
	20 25	17½	16½	16	15	013	012	12½	11½
	25 30	20½	19	17	16	014½	013	13½	12½
	30 35	21½	20½	18	17	16	14	15	13½
	35 40	24	22	20	19½	017½	15	17	14½
	40 45	26	24	21	20	018½	016	18	15½
	45 50	29	27	24	22	019½	017	19	16½
	50 60	31	29	27	25	21	019	20½	18
	60 70	33	30	29	26	023	020½	22	19½
	70 80	35	31	30	27	25	022	24	21
6745	80 90	38	35	32	29	27	023½	26	22½
	90 100	40	37	34	31	28	025	27	24
	100 110	43	39	36	33	30	026½	29	25
	110 120	45	41	38	35	31	028	30	26
	120 130	47	43	40	36	033	029½	31	27
	130 140	49	45	41	37	35	031	32	28
	140 150	53	46	43	39	036	032	33	29
	150 160	54	49	45	41	38	034	35	30
	160 170	56	52	47	42	40	035	37	32
	170 180	59	54	48	43	042	036	39	33
	180 190	61	56	50	46	044	037	41	34
	190 200	63	58	52	48	046	38	42	35
	200 220	66	60	57	51	48	41	44	37
	220 240	69	63	60	54	051	044	47	40
	240 260	72	65	63	56	054	47	50	43
	260 280	75	67	66	59	057	50	53	46
	280 300	79	72	69	61	060	53	56	49
	300 325	83	75	73	65	064	57	59	52
	325 350	87	77	77	68	68	060	63	55
	350 375	89	79	80	69	72	063	66	58
	375 400	92	82	83	74	75	066	69	61
	400 425	94	84	85	76	078	069	72	64
	425 450	97	87	88	79	081	72	74	66
	450 475	99	91	92	83	084	75	76	68
	475 500	103	94	96	86	087	78	78	70
	500 -	(3)	(3)	(3)	(3)	(4)	(4)	(4)	(4)



- (1) Rates apply to shipments not subject to Column (2) rates.
- (2) Rates apply when trailer equipment furnished by the shipper is used for the transportation of sugar, granulated, in bulk, and such equipment is furnished at no expense to the carrier (other than public liability, property damage, comprehensive and cargo insurance).
- (3) Add to the rate for 500 miles, 3 cents per 100 pounds for each 25 miles or fraction thereof in excess of 500 miles.
- (4) Add to the rate for 500 miles, 2 cents per 100 pounds for each 25 miles or fraction thereof in excess of 500 miles.

RULES AND REGULATIONS GOVERNING  
THE APPLICATION OF RATES IN ITEM NO. 745

NOTE 1.-The rates do not alternate with the class rates named in Section No. 2 of this tariff.

NOTE 2.-The rates are not subject to Item No. 85 - Shipments Transported in Multiple Lots; Item No. 142 - Delays to Equipment; Item No. 160 - Split Pickup; or Paragraphs 1 or 2 of Item No. 240 - Accessorial Services Not Included in Common Carrier Rates.

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NOTE 3.-The initial weighing of shipments at point of origin may be performed by the carrier at the carrier's expense. For reweighing of shipments the carrier shall assess a charge of not less than 55 cents.

NOTE 4.-Rates do not include pumping service when rendered with carrier's equipment. When pumping service is performed by the carrier's equipment, a charge of one cent per 100 pounds will be made. Pumping service means the discharge of sugar from the carrier's equipment by the means of blowers.

NOTE 5.-The shipping document issued for each shipment transported shall show the trailer numbers and identification of the ownership of the trailers used to perform the transportation.

∂ Change	)	
* Addition	)	
◇ Increase	)	Decision No. 65474
⊖ Reduction	)	

EFFECTIVE JULY 6, 1963

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 1322