

ORIGINAL

Decision No. 66587

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

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 66586, entered today, the Commission, among other modifications, clarified the commodity descriptions for fresh fruits and fresh vegetables in Minimum Rate Tariff No. 8 and the corresponding descriptions in Items Nos. 40 and 41 of Minimum Rate Tariff No. 2. That decision also found that, in order to avoid duplication in tariff distribution, each tariff should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix "D" to Decision No. 31606, as amended) is further amended by incorporating therein, to become effective February 15, 1964, Forty-ninth Revised Page 14 and Thirty-fifth Revised Page 15, which revised pages are attached hereto and by this reference are 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 revised commodity descriptions authorized hereinabove, are 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 modified only to the extent necessary to comply with this order; and schedules containing the commodity descriptions published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

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

Dated at San Francisco, California, this 7th day of JANUARY, 1964.

Robert E. Mitchell President
Wesley W. Page
George T. Hoover
Fredrick B. Hallock Commissioners

Commissioner William M. Bennett, 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 (Items Nos. 40 and 41)		
	Rates in this tariff apply for the transportation of all commodities except as follows:		
<p>40</p>	<table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> <p>Accessories, motion picture, Automobiles, set up, Automobile parts, accessories and related articles in secondary movement by Truck-away Service when subject to the rates, rules and regulations set forth in Minimum Rate Tariff No. 12,</p> <p>Baggage,</p> <p>Butter, dairy (Subject to Note 8),</p> <p>Buttermilk, liquid (Subject to Note 2),</p> <p>Carriers (used packages), as described in Items Nos. 320 and 321 of the Exception Ratings Tariff, empty returning or forwarded for return loads (Subject to Note 1),</p> <p>Cement, hydraulic, masonry, natural or Portland--also lime, common (including magnesium lime, hydrated or hydraulic lime, quick or slaked), cement flue dust, and/or limestone, powdered, shipped in mixed shipments with cement--when transported in shipments of 40,000 pounds or more, or when transported in shipments of lesser weights subject to the rates, rules and regulations, including the minimum charge computed on a minimum weight of 40,000 pounds, which are set forth in Minimum Rate Tariff No. 10,</p> <p>Cement Clinker,</p> <p>Cheese (including cottage cheese and pot cheese) (Subject to Note 8),</p> <p>Chips, wood, in bulk (Subject to Note 13),</p> <p>Commodities of abnormal size or weight which because of such size or weight require the use of and are transported on low bed trailers,</p> </td> <td style="vertical-align: top; width: 50%;"> <p>Directories, telephone,</p> <p>Eggs (other than shelled, desiccated or frozen),</p> <p>Fertilizers, as described in Items Nos. 540, 560 and 580 of the Exception Ratings Tariff,</p> <p>Film, motion picture,</p> <p>Fruit, dried, unmanufactured and unprocessed (Subject to Note 4),</p> <p>Fruit, fresh or green, *including dates, fresh, (not cold pack nor frozen),</p> <p>*Fruits, which are placed in a preservative and are destined to a cannery for processing into a preserved or pickled fruit,</p> <p>Fungicides, agricultural,</p> <p>Furniture, household appliances and other home furnishings which have been sold at retail by a retail merchant, transported from retail stores or retail store warehouses, or transported from retail customers to retail stores or retail store warehouses (Subject to Note 3),</p> <p>Furniture, uncrated, new, as described in and for which rates are provided in Minimum Rate Tariff No. 11-A, and furniture, uncrated, new, of state, county or municipal governments, or transported under an agreement whereby the governments contracted for the carrier's services,</p> <p>Hay, Fodder and Straw, in machine pressed bales, for which rates are provided in Minimum Rate Tariff No. 14,</p> <p>Hops,</p> </td> </tr> </table>	<p>Accessories, motion picture, Automobiles, set up, Automobile parts, accessories and related articles in secondary movement by Truck-away Service when subject to the rates, rules and regulations set forth in Minimum Rate Tariff No. 12,</p> <p>Baggage,</p> <p>Butter, dairy (Subject to Note 8),</p> <p>Buttermilk, liquid (Subject to Note 2),</p> <p>Carriers (used packages), as described in Items Nos. 320 and 321 of the Exception Ratings Tariff, empty returning or forwarded for return loads (Subject to Note 1),</p> <p>Cement, hydraulic, masonry, natural or Portland--also lime, common (including magnesium lime, hydrated or hydraulic lime, quick or slaked), cement flue dust, and/or limestone, powdered, shipped in mixed shipments with cement--when transported in shipments of 40,000 pounds or more, or when transported in shipments of lesser weights subject to the rates, rules and regulations, including the minimum charge computed on a minimum weight of 40,000 pounds, which are set forth in Minimum Rate Tariff No. 10,</p> <p>Cement Clinker,</p> <p>Cheese (including cottage cheese and pot cheese) (Subject to Note 8),</p> <p>Chips, wood, in bulk (Subject to Note 13),</p> <p>Commodities of abnormal size or weight which because of such size or weight require the use of and are transported on low bed trailers,</p>	<p>Directories, telephone,</p> <p>Eggs (other than shelled, desiccated or frozen),</p> <p>Fertilizers, as described in Items Nos. 540, 560 and 580 of the Exception Ratings Tariff,</p> <p>Film, motion picture,</p> <p>Fruit, dried, unmanufactured and unprocessed (Subject to Note 4),</p> <p>Fruit, fresh or green, *including dates, fresh, (not cold pack nor frozen),</p> <p>*Fruits, which are placed in a preservative and are destined to a cannery for processing into a preserved or pickled fruit,</p> <p>Fungicides, agricultural,</p> <p>Furniture, household appliances and other home furnishings which have been sold at retail by a retail merchant, transported from retail stores or retail store warehouses, or transported from retail customers to retail stores or retail store warehouses (Subject to Note 3),</p> <p>Furniture, uncrated, new, as described in and for which rates are provided in Minimum Rate Tariff No. 11-A, and furniture, uncrated, new, of state, county or municipal governments, or transported under an agreement whereby the governments contracted for the carrier's services,</p> <p>Hay, Fodder and Straw, in machine pressed bales, for which rates are provided in Minimum Rate Tariff No. 14,</p> <p>Hops,</p>
<p>Accessories, motion picture, Automobiles, set up, Automobile parts, accessories and related articles in secondary movement by Truck-away Service when subject to the rates, rules and regulations set forth in Minimum Rate Tariff No. 12,</p> <p>Baggage,</p> <p>Butter, dairy (Subject to Note 8),</p> <p>Buttermilk, liquid (Subject to Note 2),</p> <p>Carriers (used packages), as described in Items Nos. 320 and 321 of the Exception Ratings Tariff, empty returning or forwarded for return loads (Subject to Note 1),</p> <p>Cement, hydraulic, masonry, natural or Portland--also lime, common (including magnesium lime, hydrated or hydraulic lime, quick or slaked), cement flue dust, and/or limestone, powdered, shipped in mixed shipments with cement--when transported in shipments of 40,000 pounds or more, or when transported in shipments of lesser weights subject to the rates, rules and regulations, including the minimum charge computed on a minimum weight of 40,000 pounds, which are set forth in Minimum Rate Tariff No. 10,</p> <p>Cement Clinker,</p> <p>Cheese (including cottage cheese and pot cheese) (Subject to Note 8),</p> <p>Chips, wood, in bulk (Subject to Note 13),</p> <p>Commodities of abnormal size or weight which because of such size or weight require the use of and are transported on low bed trailers,</p>	<p>Directories, telephone,</p> <p>Eggs (other than shelled, desiccated or frozen),</p> <p>Fertilizers, as described in Items Nos. 540, 560 and 580 of the Exception Ratings Tariff,</p> <p>Film, motion picture,</p> <p>Fruit, dried, unmanufactured and unprocessed (Subject to Note 4),</p> <p>Fruit, fresh or green, *including dates, fresh, (not cold pack nor frozen),</p> <p>*Fruits, which are placed in a preservative and are destined to a cannery for processing into a preserved or pickled fruit,</p> <p>Fungicides, agricultural,</p> <p>Furniture, household appliances and other home furnishings which have been sold at retail by a retail merchant, transported from retail stores or retail store warehouses, or transported from retail customers to retail stores or retail store warehouses (Subject to Note 3),</p> <p>Furniture, uncrated, new, as described in and for which rates are provided in Minimum Rate Tariff No. 11-A, and furniture, uncrated, new, of state, county or municipal governments, or transported under an agreement whereby the governments contracted for the carrier's services,</p> <p>Hay, Fodder and Straw, in machine pressed bales, for which rates are provided in Minimum Rate Tariff No. 14,</p> <p>Hops,</p>		

- Commodities when transported in an armored car operated under permit from the Commissioner of the California Highway Patrol,
- Commodities when transported in dump trucks, for which rates are provided in Minimum Rate Tariff No. 7,
- Commodities when transported under the vehicle unit rates, rules and regulations of Minimum Rate Tariffs Nos. 5 and 15,
- Commodities which consist of or contain materials essential to National Defense and which have been donated to and are transported for the United States Government, governmental agencies, or nonprofit organizations acting for or in behalf of said government in the collection, assembly or transportation of said commodities in connection with the recovery of said essential materials from the commodities transported,
- Commodities which have been sold at retail by a retail merchant, and transported from a retail store or retail store warehouse to residences of retail customers, or transported from residences of retail customers to retail stores or retail store warehouses, and such transportation is performed in vehicles in the exclusive use of the retailer and providing no shipment exceeds 2,000 pounds in weight; further, that the merchandise is for the use or consumption of retail customers and is not for use in the furtherance of an industrial or commercial enterprise; and provided that the retailer shall certify on the shipping document for each delivery that the merchandise was sold at retail to a retail customer,
- Concrete transported in motor vehicles equipped for mechanical mixing in transit,
- Cotton,
- Cream (Subject to Note 2),
- House Trailers, set up,
- Hulls, almond, including shells and other waste from the hulling and shelling of almonds, not processed for use as animal or poultry feed,
- Ice Cream Mix, unflavored,
- Insecticides, agricultural,
- Jewelry transported from or to wholesale houses in packages weighing 10 pounds or less,
- Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles,
- Livestock,
- Logs (wood),
- Margarine (Subject to Note 8),
- Milk, liquid (Subject to Note 2),
- Mushrooms, fresh (not cold pack nor frozen),
- Newspapers, newspaper supplements, sections or inserts (not scrap or waste),
- Nuts, in the shell,
- Nuts, field shelled (rough shelled, with or without removal of broken shells, dirt, residue, or foreign material, and not cleaned nor further processed),
- Optical goods transported from or to wholesale houses in packages weighing 10 pounds or less,
- Pits, fruit,
- Poultry, live or dressed,
- Property of the United States, or property transported under an agreement whereby the United States contracted for the carrier's services,
- Property shipped to or from producers of motion pictures or television shows when transported subject to the rates, rules and regulations provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended.

(Continued in Item No. 41)

∅ Change)
 * Addition) Decision No. **66587**

EFFECTIVE FEBRUARY 15, 1964

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.
 Correction No. 1420

Thirty-fifth Revised Page 15

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Thirty-fourth Revised Page ... 15

MINIMUM RATE TARIFF NO. 2

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">APPLICATION OF TARIFF-COMMODITIES (Concluded) (Items Nos. 40 and 41)</p> <p>Property transported to a United States Post Office for mailing and United States mail transported from a post office to the addressee thereof (Subject to Note 11), Sea Shells, crushed, ground, powdered or disintegrated (Subject to Note 5), Seed, cotton, Seed, safflower, Seeds to be sown or planted, (Subject to 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,</p> <p style="text-align: center;">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 Item No. 80 of the Exception Ratings Tariff).</p> <p style="text-align: center;">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 style="text-align: center;">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>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-B, 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, øVegetables, fresh or green,*including mushrooms, fresh, (not cold pack nor frozen), *Vegetables, which are placed in a preservative and are destined to a cannery for processing into a preserved or pickled vegetable, 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>

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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.

NOTE 5.-Exemption does not apply to sea shells as described in Item No. 653.

NOTE 6.-Exemption applies only to seeds to be sown or planted, viz.:

Adzuki,	Clover (except	Molasses grass,	Ryegrass,
Alfalfa,	sweet clover),	Mustard (except	Sainfein,
Bahia grass,	Creeping bent,	wild mustard),	Sand dropseed,
Bean, field,	Dallis grass,	Napier grass,	Sesbania,
horse, lima,	Dog's-tail,	Oatgrass, tall,	Soybean,
mat or mung,	crested,	Orchard grass,	Sudan grass,
Beet, field or	Doliches,	Pea, Austrian	Sweet vernalgrass,
sugar,	Fenugreek,	winter, Ca-	Timothy,
Bentgrass,	Fescue grass,	nadian field,	Velvet bean,
Bermuda grass,	Foxtail, meadow,	tangier or	Velvet bent,
Bluegrass,	Guar,	wedge,	Velvet grass,
Bluestem,	Guinea grass,	Popcorn (1),	Wheatgrass,
Brone, bunch	Harding grass,	Proso,	crested or
or smooth,	Kudzu,	Redtop,	slender.
Carpet grass,	Lespedeza,	Reed canary grass,	
Chick pea	Lupine,	Rescue grass,	
(garbanzo),	Medic, black,	Rhodes grass,	

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, 1964.

(1) See Items Nos. 360 and 652 for rates on popcorn other than popcorn seed.

ø Change)
 * Addition) Decision No. **66587**

EFFECTIVE FEBRUARY 15, 1964

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

Correction No. 1421