

ORIGINAL

Decision No. 67064

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. 315  
 (Filed November 26, 1963)

Peter J. Henricks, for The Nestle Co., Inc.,  
 petitioner.  
C. D. Gilbert, J. X. Quintrall and A. D. Poe, for  
 California Trucking Association; Russell Bevans,  
 for Draymen's Association of San Francisco;  
 interested parties.  
Eugene Hecht, for the Commission staff.

O P I N I O N

By this petition The Nestle Co., Inc., seeks the addition of "Candy Coating, other than Chocolate" to the list of commodities named in Item No. 360 of Minimum Rate Tariff No. 2. This item provides for an exception rating of 5th class, minimum weight 30,000 pounds on "Groceries and Grocers' Supplies". Candy coating is now subject to a 4th class rating.

Public hearing was held at San Francisco on February 14, 1964, before Examiner Turpen. Evidence was presented by petitioner's assistant traffic manager. Representatives of the California Trucking Association and of the Commission's staff assisted in developing the record. No one opposed the granting of the petition.

The assistant traffic manager testified that candy coating is used as a semi-raw material by candy manufacturers and is marketed in competition with chocolate coating, which is now included in Item No. 360. He also testified that both of these commodities are made in ten-pound cakes of the same size and shape, and are shipped five cakes to a carton. The weights and density of the two commodities are nearly identical. The witness further said that candy coating has a lower value per pound than chocolate coating.

Based upon the evidence, the Commission finds that candy coating, other than chocolate, should have the same rating as chocolate coating and that a 5th class truckload rating, minimum weight 30,000 pounds, is reasonable. We conclude that candy coating, other than chocolate, should be added to the list of commodities named in Item No. 360 of Minimum Rate Tariff No. 2.

O R D E R

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 May 16, 1964, Thirty-eighth Revised Page 5 and Sixteenth Revised Page 38, 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~~ incorporated in this order.

3. Common carriers, in establishing and maintaining the rating authorized hereinabove, 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 rating 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, 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 7th  
day of April, 1964.

William B. Bunnell  
President  
George H. Grover  
Frederick B. Hilshoff  
Commissioners

## INDEX OF COMMODITIES (Continued)

COMMODITY	Item Number	COMMODITY	Item Number
Candles (M)	377.5,723-726	Compound, cleaning (M)	377.5,723-726
Candy	360	Compound, Electrical insulating (M)	377.5,723-726
Candy coating, other than chocolate	334 $\frac{1}{2}$ , *360	Compound, malt, milk and cocoa	360,375
Canned Goods	320,620,630	Compound, metal cutting, drawing or drilling (M)	377.5,723-726
Cans, wooden	365	Compound, paint thinning (M)	377.5,723-726
Caps, Sand Line	365	Compound, radiator cleaning (M)	377.5,723-726
Carriers (used packages)	330	Compound, rust preventing or removing (M)	377.5,723-726
Carts, Freight	330	Compound, type cleaning (M)	377.5,723-726
Casing Shoes	365	Compound, waterproofing (M)	377.5,723-726
Castings, Swing Post	365	Compounds, anti-freeze (M)	377.5,723-726
Catchers, Tubing	365	Compounds, Bleaching, Cleaning, Scouring, Washing	334 $\frac{1}{2}$ ,730
Catsup	320	Compounds, buffing or polishing	334 $\frac{1}{2}$
Cellulose film	332	Compounds, carbon, green or sludge removing (M)	377.5,723-726
Cement, pipe fitting (M)	377.5,723-726	Compounds, Flavoring	360
Cereal and Nuts combined	360	Compounds, floor hardening (M)	377.5,723-726
Cereal Food	360	Compounds, Food Curing, Preserving or Seasoning	360
Chaff	652-654 $\frac{1}{2}$	Compounds, Lard	360
Chap Sticks	395	Compounds, Oil Well Drilling Mud	365
Charcoal (M)	652-654 $\frac{1}{2}$	Compounds, paint, lacquer or varnish reducing, removing or thinning	377
Cheese (including cottage and pot cheese) (M)	315,605	Concentrate, Flavin	652-654 $\frac{1}{2}$
Cheese and Macaroni	360	Confectionery	334 $\frac{1}{2}$ ,360
Chili, ground	320	Containers, Aluminum Bulk Shipping	330
Chloride of Lime Bleach	730	Containers, Beverage	330
Chocolate	360	Corn	320,652-654 $\frac{1}{2}$
Chocolate Coating	360	Corn Cobs	652-654 $\frac{1}{2}$
Chops	652-654 $\frac{1}{2}$	Corn, Kaffir	652-654 $\frac{1}{2}$
Chowders	320	Corn Steep Water	652-654 $\frac{1}{2}$
Citrus Fruit Juice		Corundum	302
Powders or Crystals	360		
Clamps	365		
Clamps, Disconnecting, Drilling, Drive or Gas Packing	365		
Clay, Fire (M)	365		
Clippings	652-654 $\frac{1}{2}$		
Cloth, abrasive	302		
Clothing, staple work	333		
Clover	652-654 $\frac{1}{2}$		
Coating, candy, other than chocolate	334 $\frac{1}{2}$ , *360		
Coating, Chocolate	360		
Cocoa	360		
Coconut, prepared	333.5		
Coffee	360		
Coffee, extract of (condensed coffee), dry	334,360		
Coffee Substitutes	360		
Coloring, Confectioners'	360		

Countershafts, Oil Well	365	Drink, fruit	320
Covers, cotton cloth	335	Drugs	395
Covers, Thief Hole	365	Dry Milk Solids	345
Cow Peas	652-654½	Durra	652-654½
Cranes, Derrick	365	Dust, Elevator	652-654½
Cream Substitutes	345	Earths, Infusorial or Diatomaceous	650
Cross Arms, wooden	690,710	Egg Yolk	320
Crystals, Citrus Fruit Juice	360	Eggs, Shelled	360
Cylinders, Well Pump	365	Egyptian Wheat	652-654½
		Elevator Dust	652-654½
Darso	652-654½	Elevators, Pipe or Sucker Rod	365
Derrick Cranes	365	Emery	302
Derricks	365	Emmer	652-654½
Dessert Preparations	360	Engines (M)	365
Diglycerides of Fat- forming Acids	360,730	Ether (M)	377.5,723-726
Disinfectants	730	Explosives	337
Distillers' Grains	652-654½	Exterminators, vermin (M)	377.5,723-726
Dough, prepared	336	Extracts	360
Drain Pipe Solvent	730	Extracts, coffee (condensed coffee), dry	334.360
Dressing, Automobile Top (M)	377.5,723-726	Farina	652-654½
Dressing, rubber (M)	377.5,723-726	Farina and Wheat Germ	652-654½
Dressing, Salad	320	Feed, Animal	338,620-630, 652-654½
Dressing, shoe (M)	377.5,723-726	Feed, Barley Hay	652-654½
Drill Bitheads	365	Feed, Bean Straw (M)	652-654½

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

∅ Change )  
\* Addition ) Decision No. 67064

EFFECTIVE MAY 16, 1964

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 1450

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)		
	EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued)		Class Rating
<p>6360</p>	<p>GROCERIES AND GROCERS' SUPPLIES, viz.:</p> <p>Bakery Goods, as described under the heading "Bakery Goods Group" in the Governing Classification, Beverages, or Beverage Preparations, as described in Items 72140, 72160, 72162, 73790, 73810, 73960, 73970 and 75180 series of the Governing Classification,</p> <p>Bluing, Laundry, combined with washing compound, dry (subject to Notes 1 and 2),</p> <p>Candy or Confectionery, as described in Items 39970, 39974 and 39976 series of the Governing Classification,</p> <p>*Candy coating, other than chocolate,</p> <p>Cereal and Nuts combined (Meat Substitutes),</p> <p>Cereal Food Preparations, as described under the heading "Cereals Group" in the Governing Classification (subject to Notes 1 and 3),</p> <p>Chocolate,</p> <p>Chocolate Coating,</p> <p>Cocoa,</p> <p>Coffee,</p> <p>Coffee, extract of (condensed coffee), dry,</p> <p>Coffee Substitutes, Cereal, Fruit or Vegetables, including Chicory,</p> <p>Coloring, confectioners'</p> <p>Compounds, Food Curing, Preserving or Seasoning,</p> <p>Dessert Preparations, as described in Items 72760 and 72762 series of the Governing Classification,</p> <p>Eggs, Shelled (Egg Albumen, white or yolks), desiccated or frozen,</p> <p>Extracts or Flavoring Compounds, not otherwise indexed by name in the Governing Classification,</p> <p>Fish, other than fresh or frozen,</p> <p>Flour, edible</p> <p>Fondant, candy (candy filler),</p> <p>Food, Infants' or Invalids'</p> <p>Cereal, or Food, Prepared, not otherwise indexed by name in the Governing Classification,</p> <p>Fruit, or Fruit Peel, candied, crystallized, glazed or stuffed,</p> <p>Fruit Juice Powders or Crystals,</p> <p>Citrus,</p> <p>Liquors, vinous,</p> <p>Macaroni, except canned,</p> <p>Macaroni, Spaghetti, Noodles, Vermicelli, dry, not cooked, with cheese, meat, vegetables or other ingredients, in combined packages, in boxes,</p> <p>Malt Syrup,</p> <p>Meat, other than fresh,</p> <p>Milk, malted,</p> <p>Monoglycerides, diglycerides or triglycerides of fat-forming fatty acids, or mixtures thereof, edible, other than shortening, with or without other edible acids,</p> <p>Mustard,</p> <p>Noodles, except canned,</p> <p>Nuts, edible, shelled, plain, salted or sweetened,</p> <p>Paste, alimentary,</p> <p>Paste, confectioners' or icing,</p> <p>Popcorn, not popped,</p> <p>Popped Corn (subject to Notes 1 and 2),</p> <p>Potatoes, cooked and powdered, other than frozen,</p> <p>Potato Chips (subject to Notes 1 and 2),</p> <p>Pot Scourers (subject to Notes 1 and 2),</p> <p>Powder, Baking or Yeast,</p> <p>Rice, combined with vegetables or vegetable ingredients and seasonings, with or without other ingredients,</p> <p>Sago,</p> <p>Salads, Fish, Macaroni, Meat or Vegetable,</p> <p>Salad Dressing Preparations, dry,</p> <p>Salt (subject to Note 1),</p> <p>Shortening,</p> <p>Spaghetti, except canned,</p> <p>Spices,</p> <p>Steel Wool and Soap, combined (subject to Notes 1 and 2),</p> <p>Tapioca,</p> <p>Tea,</p> <p>Vermicelli, except canned,</p>		

Fruit Syrups,  
 Gelatin,  
 Glucose,  
 Gum, Chewing,  
 Honey,  
 Horseradish,  
 Lard, Lard Compounds or Lard  
 Substitutes, as described in  
 Items 58920 and 134530 series of  
 the Governing Classification,  
 Liquors, malt, viz.:  
 Ale,  
 Beer,  
 Porter,  
 Stout,

Wax, Laundry Compound,  
 Yeast,

Minimum Weight 20,000 pounds .....  
 Minimum Weight 30,000 pounds .....

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NOTE 1.-Ratings shown apply only when commodities subject to this note are shipped in mixed shipment with one or more other commodities named in this item.

NOTE 2.-Ratings shown apply only when the weight of the commodities subject to this note does not exceed 5 percent of the total weight of the shipment.

NOTE 3.-Ratings shown apply only when the weight of the commodity subject to this note does not exceed 10 percent of the total weight of the shipment.

Change }  
 \* Addition } Decision No. 67064

EFFECTIVE MAY 16, 1964

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

Correction No. 1451