

ORIGINAL

Decision No. 67122

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. 327)
(Filed March 6, 1964)

Case No. 5435
(Petition for Modification
No. 56)
(Filed March 6, 1964)

And Related Matters.)

Case No. 5441
(Petition for Modification
No. 81)
(Filed March 6, 1964)

Case No. 7858

OPINION AND ORDER

By Petitions for Modification Nos. 327, 56 and 81 in Cases Nos. 5432, 5435 and 5441, respectively, California Trucking Association proposes to revise certain items in Minimum Rate Tariffs Nos. 1-B, 2 and 5 which provide a 4th class exception rating for the transportation of synthetic plastic sheets.¹

Petitioner points out that the items apply on plastic sheets in three different shipping forms, viz.: in packages, in wrapped rolls, or in lengths of not less than 100 feet rolled to a diameter of not less than 3 inches. Petitioner's request is that

¹The petition includes the usual request that common carriers be directed to establish in their tariffs all such modifications as may be prescribed by the Commission and that common carriers be authorized to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code to the extent necessary to do so.

the word "or" be deleted, so that the items will not be applicable to plastic sheets in lengths of 100 feet or less rolled to a diameter of three inches or less. Assertedly the present wording may embrace household type wrapping, whereas the Commission's decision which established the items stated that household wrapping would be excluded because of its lower density and higher value.

The tariff items in question were established by Decision No. 62802 dated November 14, 1961, in Case No. 5432, et al. That decision stated: "From the evidence it appears that the household wrapping is of much lower density and higher value than the plastic sheets shipped generally. It thus appears that the suggested restriction against household wrapping should be adopted."

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable, any increases resulting therefrom are justified and the resulting minimum rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation of the commodity herein involved. A public hearing is not necessary. The petitions will be granted.

The order herein will provide for the amendment of Item No. 810 of Exception Ratings Tariff No. 1.² In order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 1-B will be amended by separate order.

IT IS ORDERED that:

1. Exception Ratings Tariff No. 1 (Appendix A to Decision No. 66195, as amended) is hereby further amended by incorporating

2

The items which petitioner proposes to have amended are Item No. 580 of Minimum Rate Tariff No. 1-B, Item No. 378.5 of Minimum Rate Tariff No. 2 and Item No. 268 of Minimum Rate Tariff No. 5. By Decision No. 67072, dated April 7, 1964, in Case No. 5432 (Petition for Modification No. 317), et al., the exception ratings in Items Nos. 378.5 and 268 of Minimum Rate Tariffs Nos. 2 and 5, respectively, were canceled and concurrently transferred to Item No. 810 of Exception Ratings Tariff No. 1. Case No. 7858 was instituted on March 10, 1964, as the proceeding for consideration of revisions in Exception Ratings Tariff No. 1.

therein, to become effective May 30, 1964, Second Revised Page 25 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 the public and shall be made effective not later than May 30, 1964.

3. Common carriers, in establishing and maintaining the exception ratings 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 exception ratings 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. 66195, 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 21st day of April, 1964.

William W. Bennett
President
George H. Grover
Fredrick B. Holhoff
Commissioners

SECTION NO. 2 - RATINGS WHICH ARE EXCEPTIONS TO THE GC (Continued)		Item No.
ARTICLES	Rating	
	LTL	TL
Plastics, synthetic, liquid or other than liquid, noibn, weighing 30 pounds or more per cubic foot, in rubber bags, each bag containing not less than 9,000 pounds of plastics; consignor to load and consignee to unload by mechanical means. Minimum weight 40,000 lbs.		B
Synthetic plastic sheets, not woven, not cellular, expanded nor foamed, not finished articles, in packages or wrapped rolls, in lengths of not less than 100 feet rolled to a diameter of not less than 3 inches.	4	810
Returned Shipments, viz.: Articles refused by consignee may be returned to original shipper and to original point of shipment at one-half of the outbound rate (applicable to quantity returned) current at time of return movement, subject to established minimum rate and charge, only upon the following conditions: (a) When actual delivery to consignee has been accomplished, articles for return movement properly identified must be presented to carrier within ten (10) days from date of delivery of the original shipments. (See Note.) (b) All charges must be prepaid or guaranteed. Shipping order must show reference to original outbound shipment. (c) Goods must be returned over the same route and line as the original outbound movement. (d) Explosives and Blasting Caps returned to original shipping point under provisions of paragraphs (a), (b) and (c), tendered for return movement under provisions of paragraph (a), but which cannot be accepted until after expiration of 10 days' limit on account of carriers having certain specified days for handling Explosives; such shipments will also be received, and rating protected, on the day assigned for receipt of Explosives next following expiration of the 10 days' time provided in paragraph (a). NOTE.-This paragraph has no application on shipments which do not leave possession of carrier at original billed destination.		820

Change, Decision No.

67122

EFFECTIVE MAY 30, 1964

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 17