

ORIGINALDecision No. 70331

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. 394
) (Filed September 7, 1965)
) (Amended December 1, 1965)

And related matters.

) Case No. 5435
) Petition for Modification
) No. 67

) Case No. 7858
) Petition for Modification
) No. 8

OPINION AND ORDER

The original petitions filed by California Trucking Association, hereinafter referred to as petitioner, requested the transfer to Minimum Rate Tariff No. 5 of those exception ratings in Exception Ratings Tariff No. 1 having no application to Minimum Rate Tariff No. 2; the cancellation of the Class C exception rating in the Exception Ratings Tariff, and the modification of Item No. 654½ of Minimum Rate Tariff No. 2, to eliminate the application of the Class C rates for the transportation of grain for distances over 500 miles. By its amendment petitioner requests dismissal without prejudice of all issues other than that pertaining to the proposed modification of Item No. 654½.

Item No. 654½ of Minimum Rate Tariff No. 2 contains commodity rates for the transportation of grain and related articles transported other than in bulk. Rates for grain in bulk are provided in Minimum Rate Tariff No. 14-A. The item specifies with particularity rates in cents per 100 pounds for distances up to and including

500 miles. For distances over 500 miles the item provides that for rates subject to minimum weights of 40,000 pounds and 48,000 pounds there shall be added to the rate for 500 miles, $2\frac{1}{2}$ cents per 100 pounds for each 25 miles or fraction thereof in excess of 500 miles. The item provides that for distances over 500 miles for shipments of minimum weights of 10,000 pounds, 20,000 pounds and 30,000 pounds the class rates shall apply. Petitioner proposes that the latter language be stricken from the item and that the rate for all minimum weights, i.e., 10,000 through 48,000 pounds, for distances over 500 miles be determined in the same manner presently prescribed for minimum weights of 40,000 pounds and 48,000 pounds. In other words, make the present $2\frac{1}{2}$ cent additive applicable to minimum weights of 10,000 pounds, 20,000 pounds and 30,000 pounds.

The petition states that the rates in Item 654 $\frac{1}{2}$ result in inconsistencies in the progression of rates for distances over 500 miles. Petitioner has been unable to determine the existence of any actual traffic that would be affected by the proposed change. The purpose of the suggested change is not only to remove anomalies and inconsistencies in the progression of rates but also to eliminate the reference to the class rates on grains.

There are no protests. The change will result in both increases and reductions in rates. In some instances for distances in excess of 750 miles the increases are substantial. Grain in sacks seldom, if ever, moves for distances exceeding 500 miles in quantities less than 40,000 pounds.

We find that the suggested change in Item No. 654 $\frac{1}{2}$ is reasonable, that the increases that may result from the proposed modification are justified, and that a public hearing is not necessary.

We conclude that Minimum Rate Tariff No. 2 should be amended to incorporate the proposed change in Item No. 654½ and that Petition for Modification No. 67 in Case No. 5435 and Petition for Modification No. 8 in Case No. 7858 should be dismissed without prejudice; therefore,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix D of Decision No. 31606, as amended) is further amended by incorporating therein to become effective March 19, 1966, Twelfth Revised Page 51-A, 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 shall be made effective not later than March 19, 1966.

3. Common carriers, in establishing and maintaining the rates 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 rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

4. Petition for Modification No. 67 in Case No. 5435 and Petition for Modification No. 8 in Case No. 7858 are dismissed without prejudice.

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

Dated at San Francisco, California, this 7th day of FEBRUARY, 1966.

Fredrick B. Holbeck
President
George G. Grover
Augustin
William B. Bennett

Commissioners

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

Item No.	SECTION NO. 3		COMMODITY RATES (Continued) In Cents Per 100 Pounds				
	GRAIN, RICE, SEEDS, GRAIN PRODUCTS AND RELATED ARTICLES as described in Lists Nos. 1 through 10 of Items Nos. 652-653. (See Item No. 653½ for Application of Rates in this item.)						
MILES		RATES (See Note)					
But Not Over		MINIMUM WEIGHT IN POUNDS					
Over	Over	10,000	20,000	30,000	40,000	(2) 48,000	
0	3	13	10½	8½	8½	8½	
3	5	14	12	9½	8½	8½	
5	10	15	13	10½	9½	9½	
10	15	16	14	12½	11½	11	
15	20	18½	15	13½	12½	12	
20	25	20½	16	14½	13½	13	
25	30	21½	17	15½	14½	14	
30	35	23½	18½	16½	15½	15	
35	40	24½	19½	18	16½	16	
40	45	27	20½	19	18	17	
45	50	29	22	20½	19	18	
50	60	32	23½	21½	20½	19½	
60	70	34	24½	22½	21½	20½	
70	80	36	26	23½	22½	21½	
80	90	38	28	24½	23½	22½	
90	100	41	29	26	24½	24	
100	110	43	31	28	26	26	
110	120	46	32	29	27	27	
120	130	48	33	30	28	28	
130	140	52	35	32	30	30	
140	150	55	37	33	31	31	
150	160	57	39	34	32	32	
160	170	59	40	36	34	33	
170	180	61	41	37	35	34	
180	190	63	43	38	37	35	
190	200	67	45	41	38	37	
200	220	70	48	44	40	39	
220	240	73	50	46	42	41	
240	260	77	54	49	44	43	
260	280	80	57	52	46	45	
280	300	84	60	55	49	46	
300	325	88	62	57	52	47	
325	350	91	64	60	54	49	
350	375	94	68	62	56	52	
375	400	98	70	64	58	54	
400	425	101	73	66	60	56	
425	450	105	76	69	62	58	
450	475	108	80	72	64	60	
475	500	111	82	74	66	62	
500	-	ø(1)	ø(1)	ø(1)	(1)	(1)	

654½

NOTE.-(a) Except as to Rice, Exception 1 of Item No. 100 will not apply in connection with rates in this item.

(b) On all Field Pickup Shipments, as defined in Item No. 653 $\frac{1}{2}$, add 2 cents per 100 pounds to the rates otherwise applicable.

(1) Add to rate for 500 miles, 2 $\frac{1}{2}$ cents per 100 pounds for each 25 miles or fraction thereof.

(2) Rates in this column are subject to the provisions of Item No. 653 $\frac{3}{4}$.

Change, Decision No. 70331

EFFECTIVE MARCH 19, 1966

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

Correction No. 1684