

Decision No. 71144

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 property in Los Angeles and Orange)
Counties (transportation for which)
rates are provided in Minimum Rate)
Tariff No. 5).)

Case No. 5435
(Petition for Modification
No. 77)
(Filed April 18, 1966)
(Amended May 16, 1966)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 71143 entered today in Case No. 5432

(Petition for Modification No. 418), et al., established a rule in Minimum Rate Tariff No. 2 and revised rules in City Carriers' Tariff No. 1-A and Minimum Rate Tariffs Nos. 1-B, 5 and 9-B for the free return transportation of empty pallets. The decision also provided that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 5 should be amended by a separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 5 (Appendix "A" of Decision No. 32504, as amended) is hereby further amended by incorporating therein to become effective September 24, 1966, Second Revised Page 14-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 such tariff publications shall be made effective not later than September 24, 1966; 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 page incorporated in this order.

3. Common carriers, in establishing and maintaining the rule 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 rule 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. 32504, 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 16th day of August, 1966.

Philip H. Mitchell
President
George T. Grover
August
William M. Bennett
Commissioners

Commissioner Frederick B. Holeboff, being necessarily absent, did not participate in the disposition of this proceeding.

Item
No.SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL
APPLICATION (Continued)

EMPTY PALLET RETURN

(a) When palletized shipments are transported under rates subject to minimum weights of not less than 20,000 pounds, empty pallets may be transported without charge when returning to the point of origin of an outbound palletized shipment or when transported for a return palletized shipment, subject to the terms and conditions in Notes 1, 2, 3 and 4.

NOTE 1.--Palletized shipments must be loaded into carrier's equipment by the consignor and/or unloaded by the consignee with power equipment, as described in Item No. 10, furnished and used without expense to the carrier and when no services are performed by the carrier or at carrier's expense.

NOTE 2.--Shipper must indicate on shipping instructions that palletized shipments were loaded directly onto trailers by power-loading equipment operated by personnel furnished by shipper; and/or receivers must show on carrier's delivery receipt that such shipments were removed by power-loading equipment operated by personnel furnished by receiver.

688

NOTE 3.--Shipping Documents (Bills of Lading) covering the shipment of empty returning pallets shall identify the palletized shipments. Shipping Documents (Bills of Lading) covering returning palletized loads shall identify the shipments of empty pallets.

NOTE 4.--For the purpose of this item, empty pallets shall include pallets, platforms, or skids as described in Item 150370, Sub 1; Item 150380; Item 150390, Sub 2; or Item 150430, Sub 2, of the Governing Classification; six inches or less in height or nested solid (as defined in Rule 110 of the Governing Classification), and of wood, metal or wood and metal construction.

(b) Carrier must assess applicable tariff charges on empty pallets under the conditions stated in Notes 5, 6, 7 and 8.

NOTE 5.--If immediately upon receipt of a palletized shipment consignee fails to provide carrier with up to a like number of empty pallets for return to point of origin of the palletized shipment.

NOTE 6.--When empty pallets are furnished by consignee and forwarded to origin point of a palletized shipment, if consignor immediately on receipt of empty pallets fails to provide carrier with a palletized shipment containing up to a like number of pallets loaded for shipment to consignee at point of origin of the empty pallets.

NOTE 7.--For the transportation of all empty pallets in excess of those permitted by the provisions of Notes 5 and 6.

NOTE 8.--For the transportation of all empty pallets which do not comply with the provisions of this item.

SHIPMENTS LOADED ON ELEVATING TRUCK PALLETS OR PLATFORM OR LIFT TRUCK SKIDS

89

Articles loaded on elevating truck pallets or platforms or lift truck skids will be rated the same as when such articles are not loaded and not transported on elevating truck pallets or platforms or lift truck skids. When used, such elevating truck pallets or platforms, or lift truck skids must be furnished and installed by the shipper at his expense. Transportation charges for the weight of the elevating truck pallets or platform or lift truck skids will be at the rate applicable on the freight which they accompany and the weight of such elevating truck pallets, or platforms, or lift truck skids may be used to make up the minimum weight applicable to the freight which they accompany. (See Item No. 70 for Exception.)

Change, Decision No. **71144**

EFFECTIVE SEPTEMBER 24, 1966

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 500