

**ORIGINAL**

Decision No. 71150

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. 79)  
(Filed June 8, 1966)

OPINION AND ORDER

Minimum Rate Tariff No. 5 names minimum rates and rules for the transportation of property by city carriers and highway carriers within a defined Los Angeles Drayage Area and, under specific conditions, within Orange and Los Angeles Counties. Some of these rules provide ratings for specific commodities, which are exceptions to the ratings otherwise applicable under the Governing Classification.<sup>1</sup>

By this petition, California Trucking Association seeks to have the commodity descriptions for these exception ratings revised. Petitioner asks that common carriers be directed to establish in their respective tariffs such modifications as may be prescribed by the Commission's order in this proceeding, including relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code.

Petitioner proposes to amend these commodity descriptions so that they will be designated by reference to the particular item

<sup>1</sup>

The tariff is subject to the provisions of National Motor Freight Classification A-9 (CAL) as governed by National Motor Freight Classification A-9 collectively referred to herein as the Governing Classification.

numbers of the Governing Classification which describe the same commodities. Petitioner states that this proposal is another step in a program instituted by it under a general policy providing for tariff changes necessary to the attainment of more definite and certain tariff descriptions and to the establishment of a general tariff format compatible with pending and prospective innovations in electronic billing and rating procedures incidental thereto.

Petitioner asserts that the issues involved in the tariff implementation of this general program were discussed in detail in Decision No. 69994 in Case No. 5432, dated November 23, 1955, and that it has followed the same procedures generally as outlined in that decision. Petitioner avers that it has no objection to, and encourages, the use of an extended effective date, as provided in Decision No. 69994, supra, in order to protect the shipping public against inadvertent errors and omissions.

Copies of the verified petition were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about June 3, 1966. The petition was listed on the Commission's Daily Calendar of June 9, 1966. No objection to the granting of the petition has been received.

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable, that the resulting minimum rates will be just, reasonable and nondiscriminatory minimum rates for the transportation involved and that, to the extent rate increases are involved, such increases are justified. The Commission concludes that the petition should be granted and that the proposed changes should be adopted to become effective

not earlier than sixty days after the effective date of this order so as to afford an opportunity to interested parties to advise petitioner and the Commission concerning those items which may require separate and further consideration.

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 November 5, 1966, Sixteenth Revised Page 22, Seventh Revised Page 22-A and First Revised Page 22-B 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 sixtieth day after the effective date of this order on not less than ten days' notice to the Commission and to the public; such tariff publications shall be made effective not later than November 5, 1966; 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 sixtieth 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.

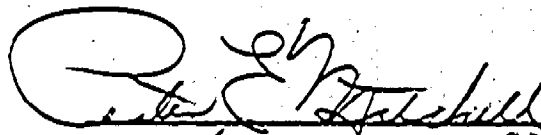
3. Common carriers, in establishing and maintaining the ratings authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding

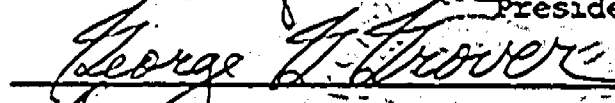
authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the ratings published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

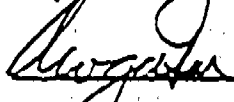
4. In all other respects, Decision No. 32504, as amended, shall remain in full force and effect.


This order shall become effective twenty days after the date hereof.


Dated at San Francisco, California, this 16<sup>th</sup> day of August, 1966.

  
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President

  
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Commissioners

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



<p>§216</p>	<p>Buffing or Polishing Compounds, NOI, including Boat, Floor, Furniture or Vehicle Polish or Wax, as described in Item 33440** (See Note.)</p> <p>Less truckload -----</p> <p>NOTE.--Compounds consisting of sawdust, abrasives and stearic acid, dry, may be shipped in 3-ply multiple-wall paper bags, total basis weight for all walls not less than 180 lbs. net weight of contents not to exceed 50 lbs.</p>	<p>4</p>
<p>§218</p>	<p>Burial Cases, set up*as described in Items 38900 or 38910. (Subject to Note 2 of Item No. 290*of this tariff).</p>	<p>1½</p>
<p>§219</p>	<p>Cans, iron or steel, liquid capacity exceeding one gill but not exceeding 5 gallons. *as described in Items 52755, 52770, 52780, 52820 or 52830, not nested. (Subject to Note 1 of Item No. 290 *of this tariff).</p>	<p>1½</p>
<p>§220</p>	<p>Carriers (used packages), second-hand, empty, as described in and subject to the provisions of Items Nos. 293 and 294 *of this tariff.</p>	<p>One-half of 4</p>
<p>         § Change )          * Addition )          ** "of the GC" eliminated ) Decision No. 71150       </p>		
<p>EFFECTIVE NOVEMBER 5, 1966</p>		
<p>Issued by the Public Utilities Commission of the State of California,          San Francisco, California.          Correction No. 501</p>		

Item No.	SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
	EXCEPTIONS TO GOVERNING CLASSIFICATION *(All item references are to the GC except as otherwise provided)	Class Rating
6223	Compounds, cleaning, scouring or washing, NOI, as described in Item 48580 **  Less truckload -----	4
6224	Compounds, Tree and Weed Killing, NOI, as described in Item 50320 ** in packages.  Less truckload -----	4
6224.5	Confectionery, viz.: ***  Butter, cocoa, as described in Item 72540, Chocolate, as described in Item 39990, Coating, chocolate, as described in Item 40000, Coating, candy, other than chocolate, as described in Item 40010, Coating, ice cream, as described in Item 40050, Cocoa or Cocoa Paste, as described in Item 72520, Confectionery or Candy, NOI, as described in Item 39970 (see Notes 1 and 2)  Less truckload -----  NOTE 1.--Candy may contain not to exceed ten percent of yeast.  NOTE 2.--Rating also applies on Candy in toys made wholly of glass or earthenware, except as the closing device.	4
6225	Dough, prepared, not cooked, other than frozen, *as described in Item 72800	3
6229	Flowers, fresh, cut, NOI, as described in Item 71620 ** -----	1
6232	Furniture, as described under the heading "Furniture Group" in the Governing Classification, except articles knocked down and except the following:  Bamboo, cane, fibre, grass, rattan, reed or willow, *as described in Items 79050, 79070 or 79500, Bedstead rails, bedstead rails and holders combined, or bedstead slats, steel, *as described in Item 82840, Cabinets, filing, steel, *as described in Item 80250, Children's bed springs, linked or woven wire, with angle iron frames, *as described in Item 80940,	1½

	<p>Cots, linked or woven wire springs and steel frames, collapsed or folded, *as described in Item 81020.</p> <p>(Subject to Note 1 of Item No. 290 * of this tariff)</p>	
6235	<p>Glassware, viz.:</p> <p>****</p> <p>Lamp globes or bulbs, *as described in Items 87800, 87820, 88220, 88230 or 88240,</p> <p>Lamp shades (not nested), *as described in Items 88220, 88230 or 88240.</p> <p>(Subject to Note 2 of Item No. 290 * of this tariff)</p>	1½
6237	<p>Grain and other Articles (see Note) viz.:</p> <p>Middlings or Shorts, as described in Item 89690 **</p> <p>NOTE.--May be shipped in Cube or Pellet form.</p>	
6242	<p>Ice Cream, as described in Item 55620 **</p> <p>Less truckload -----</p>	2
6245	<p>Insecticides or Fungicides, *Agricultural, as described in *Items 102000, 102020, 102040, 102060, 102080, 102100, 102120, 102140, 102150, 102170, 102180, 102200, 102220, 102260 or 102280, (see Note) in packages,</p> <p>Polychlor Agricultural Insecticides or Fungicides, dry, as described in Item 102240 **</p> <p>Less truckload -----</p> <p>NOTE.--Will not apply on articles or chemicals used as an ingredient of a spraying compound or a tree and scale wash, when shipped separately.</p>	4
<p>         / Change )          * Addition )          ** "of the GC" eliminated )          *** "All item references are to )              the GC" eliminated )          **** "Incandescent Lamps" eliminated )       </p> <p style="text-align: right;">Decision No. 71150</p>		
<p>EFFECTIVE NOVEMBER 5, 1966</p>		
<p>Issued by the Public Utilities Commission of the State of California,          San Francisco, California.</p> <p>Correction No. 502</p>		



Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
	EXCEPTIONS TO GOVERNING CLASSIFICATION *(All item references are to the GC except as otherwise provided)	Class Rating
ø250	Malt, milk and cocoa compound, as described in Item 73790 ** Milk and Cocoa Compound, as described in Item 73790**  Less truckload -----	4
ø260	Pads, sanitary (sanitary diapers or napkins), *as described in Item 148960 ----- (Subject to Note 1 of Item No. 290*of this tariff.	1½
ø262	Paints or Varnishes, NOI, Bronzing Liquids, Lacquers or Shellacs, liquid or paste, as described in Item 150070 ** Paint, Lacquer or Varnish Reducing, Removing or Thinning Compounds, NOI, as described in Item 150090 **  Less truckload -----	4
ø265	Paper or Articles of Paper or Pulp, viz.: Boxes, bottles or cans as described in Items 29285, 29286, 29288 or 29293** ----- (Subject to Note 1 of Item No. 290*of this tariff.	1½
267	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 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 ten 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 ten 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.

Sheet Steel Ware, as described under the heading "Sheet Steel Articles Group" in the Governing Classification, except articles nested or nested solid and except the following:

Baking pan sets, (two or more pans strapped together with band steel),\*as described in Item 174320,

Can or pail stock, other than milk shipping can stock, tin, bodies flat, tops and bottoms formed,\*as described in Item 174500,

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Pail or tub ear blanks,\*as described in Item 174820 ,

Panel or hoods, refrigerator cabinet, unfinished, not galvanized, painted, enameled nor lacquered,\*as described in Item 174900,

Powder keg material, (bottoms, sides, stoppers or tops),\*as described in Item 175020,

Shovels, stove,\*as described in Item 175140.

(Subject to Note 2 of Item No. 290\*of this tariff.)

§270

1½

∅ Change )  
\* Addition )  
\*\* "of the GC" and "of the ) Decision No. 71150  
Governing Classification" )  
eliminated )  
\*\*\* "Forks or Spoons" eliminated )

EFFECTIVE NOVEMBER 5, 1966

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

Correction No. 503