

ORIGINAL

71278

Decision No. _____

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. 426
(Filed June 27, 1966)

OPINION AND ORDER

By this petition, California Trucking Association seeks to have the stringing service rule in Minimum Rate Tariff No. 2 amended.¹ 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 that the rates in the above tariff for stringing service not include loading or unloading when such loading or unloading is performed by hydraulic crane attached to the tractor transporting the shipment from origin to destination.

Petitioner alleges that loading or unloading in connection with stringing services may be performed by hydraulic crane in three ways:

¹The rates on stringing services are set forth in Items Nos. 174 and 175 of Minimum Rate Tariff No. 2.

1. By hydraulic crane affixed to the tractor transporting the shipment from origin to destination.
2. By hydraulic crane or similar device affixed to the trailer transporting the shipment from origin to destination.
3. By hydraulic crane or similar device mounted on a separate unit of equipment.

Petitioner avers that the rates for stringing service apply when loading or unloading is performed in accordance with Method 1 above but that such rates do not apply when Methods 2 and 3 are employed in loading or unloading. Petitioner asserts that the rule in question discriminates between carriers having cranes mounted on tractors and carriers having cranes mounted on trailers or other units of equipment.

Copies of the verified petition were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about June 24, 1966. The petition was listed on the Commission's Daily Calendar of June 28, 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 and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation involved and that the increases which will result are justified. A public hearing is not necessary. The Commission concludes that the petition should be granted.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix D to Decision No. 31606, as amended) is further amended by incorporating therein, to become effective October 22, 1966, Seventh Revised Page 21-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 October 22, 1966.

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 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 13th day of September, 1966.

George T. Grover President

Frederick S. Holoboff

William L. Bennett

Angela Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Cancel

Item No.	SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)																
	<p style="text-align: center;">STRINGING SERVICES (Items Nos. 174 and 175)</p> <p>When stringing is performed in connection with the transportation of the commodities listed below, the class or commodity rate shall be computed from point of origin to that point which produces the greatest constructive mileage. In addition to the class or commodity rates, a charge as set forth below shall be assessed for the stringing services. Subject to Notes 1, 2, 3, 4, 5 and 6.</p>																
	<p style="text-align: center;">Commodity Descriptions</p>	<p style="text-align: center;">Rates in cents per hour</p>															
6174	Commodity List 1, Pipe and pipe fittings or connections ..	1235															
	Commodity List 2, Conduit, (including clay or terra cotta conduit, single or multiple cell); culvert; fencing; poles; posts; tubing; and fittings or connections for any of the above	1135															
	<p>NOTE 1.--The minimum charge shall be for $\frac{1}{2}$ hour. After the total time has been determined it shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the following table:</p> <table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;"><u>Minutes</u></td> <td style="text-align: center;"><u>But Not</u></td> <td></td> </tr> <tr> <td style="text-align: center;"><u>Over</u></td> <td style="text-align: center;"><u>Over</u></td> <td></td> </tr> <tr> <td style="text-align: center;">0</td> <td style="text-align: center;">8</td> <td>Omit</td> </tr> <tr> <td style="text-align: center;">8</td> <td style="text-align: center;">38</td> <td>Shall be $\frac{1}{2}$ hour</td> </tr> <tr> <td style="text-align: center;">38</td> <td style="text-align: center;">60</td> <td>Shall be 1 hour</td> </tr> </table>		<u>Minutes</u>	<u>But Not</u>		<u>Over</u>	<u>Over</u>		0	8	Omit	8	38	Shall be $\frac{1}{2}$ hour	38	60	Shall be 1 hour
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8	38	Shall be $\frac{1}{2}$ hour															
38	60	Shall be 1 hour															
	<p>NOTE 2.--For purposes of determining the stringing charge, when the carrier's equipment arrives at or prior to the arrival time specified on the bill of lading, time shall be computed from the time stringing commences, or the arrival time specified on the bill of lading (whichever is the earliest) to the time stringing is completed. When the carrier's equipment arrives subsequent to the arrival time stated on the bill of lading, time shall be computed from the time stringing service commences to the time stringing is completed. Time shall be calculated separately for each unit of equipment.</p>																
	<p>In addition to the class or commodity rate, the hourly rate provided in this item shall be assessed for the time consumed in performing the stringing, less 5 minutes a ton for poles, and 8 minutes a ton for all other commodities. The free time shall be based on the weight on which transportation charges are computed. Allowance shall be made only for delays occasioned due to failure of carrier's equipment transporting the lading and time taken out for meals by the driver and/or helper.</p>																

NOTE 3.--Rate includes the exclusive services of vehicle and driver and does not include any power equipment to load or unload, other than a winch ** affixed to the tractor transporting the shipment from origin to destination. When carrier furnishes help in addition to the driver, such service shall be charged for at a rate of not less than \$7.20 per hour per extra man furnished. For those commodities listed under Commodity List 1, the carrier may furnish a supervising foreman in addition to the driver without additional charge. When the supervising foreman renders physical assistance, such service shall be charged for at a rate of not less than \$7.20 per hour.

(Continued in Item No. 175)

ø Change
◇ Increase
** "Or hydraulic crane"
eliminated

Decision No. 71278

EFFECTIVE OCTOBER 22, 1966

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

Correction No. 1805