

ORIGINAL

Decision No. 72743

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. 456)
(Filed May 3, 1967)

OPINION AND ORDER

Minimum Rate Tariff No. 2 names minimum rates and rules for the statewide transportation of general commodities by highway carriers. By this petition, California Trucking Association seeks to have the above tariff amended by providing that a charge of 3 cents per 100 pounds shall be assessed when the carrier unloads pneumatic equipment by gravity only and a common carrier rate is used in constructing the rate for the transportation involved. Petitioner requests that all common carriers be authorized to establish in their respective tariffs all 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 states that the Commission staff has interpreted that the above tariff provides that, when a common carrier rate is used in constructing a rate for highway transportation in pneumatic equipment, a charge of 3 cents per 100 pounds must be assessed when the unloading service is performed with pneumatic means and a charge of 5 cents per 100 pounds must be assessed when the pneumatic feature

of the carrier's equipment is not utilized and the unloading service¹ is performed by means of gravity.

Petitioner avers that the proposed tariff revision will provide proper and reasonable minimum rates. It asserts that the tariff provisions herein involved will result in no increases and are generally desired by shippers and carriers.

Copies of the petition were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about May 2, 1967. The petition was listed on the Commission's Daily Calendar of May 4, 1967. 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 and that the resulting minimum rates will be just, reasonable and nondiscriminatory minimum rates for the transportation involved. 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 hereby further amended by incorporating therein, to become effective August 19, 1967, First Revised Page 26-A attached hereto and by this reference made a part hereof.

2. Tariff publications authorized to be made 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

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See Informal Ruling No. 185 issued by the Commission's Transportation Division under date of April 13, 1967.

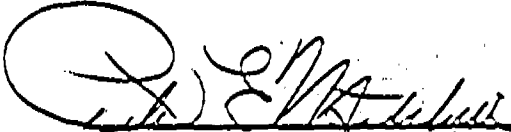
to the public if filed not later than sixty days after the effective date of the minimum rate tariff page incorporated in this order.

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

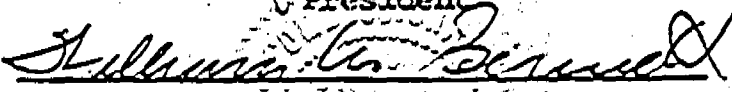
4. In all other respects Decision No. 31606, as amended, shall remain in full force and effect.

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


Dated at San Francisco, California, this 11th day of July, 1967.



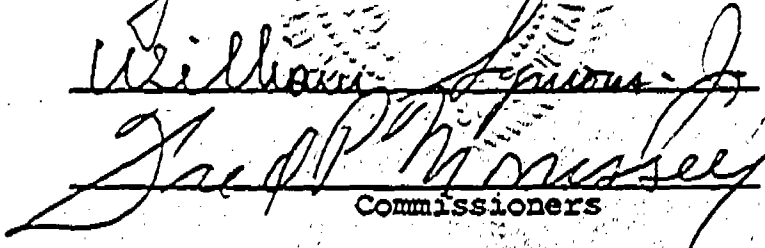
President



William L. Bennett



William L. Bennett



Commissioners

Item No.	SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER RATES (Concluded) (Items Nos. 240 and 241)</p> <p>3. A charge of 5 cents per 100 pounds shall be assessed on the weight on which transportation charges are determined when the shipment is loaded into or unloaded from the carrier's equipment *(other than pneumatic equipment) with the physical assistance of a single carrier employee as follows, and under all other circumstances not noted in Paragraphs 1 and 2:</p> <p>(a) When shipment is loaded into or unloaded from carrier's equipment by power equipment furnished by the consignor or consignee without expense to the carrier and carrier's employee is required:</p> <p>(1) To stack or unstack merchandise in the carrier's equipment, or</p> <p>(2) To remove merchandise from or place merchandise on pallets.</p> <p>(b) When the Shipping Document is not annotated as provided in Paragraphs 1 and 2.</p> <p>4. If a shipment is partially unloaded at an intermediate point under one circumstance and the unloading is completed at final destination under another circumstance, the higher unloading charge applies on the total weight on which transportation charges are computed.</p> <p>5. Split pickup or split delivery shall not be accorded unless included in the common carrier rate (see Items Nos. 220 and 230 for exceptions).</p> <p>6. When rates provided in this tariff are applied in combination with common carrier rates under the provisions of:</p> <p>(a) Paragraph (a) of Item No. 210, only the accessorial charge for unloading shall be assessed.</p> <p>(b) Paragraph (b) of Item No. 210, only the accessorial charge for loading shall be assessed.</p> <p>(c) Paragraph (c) of Item No. 210, no charge for either loading or unloading shall be assessed.</p> <p>7. A charge shall be assessed for all other accessorial services furnished (including services performed under the provisions of Items Nos. 120, 140, or 142) for which charges are provided in this tariff. Such charges shall be in addition to all charges set forth in Items Nos. 240 and 241.</p>

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EXCEPTION.--The provisions of Items Nos. 240 and 241 are not applicable to shipments where the minimum weight is less than 10,000 pounds and where the provisions of Item No. 120 will apply.

∅ Change)
* Addition) Decision No. 72743

EFFECTIVE AUGUST 19, 1967

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

Correction No. 1835