

**ORIGINAL**

Decision No. 73138

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. 465)  
(Filed July 17, 1967)

In the Matter of the Investigation )  
for the purpose of considering and )  
determining revisions in or )  
reissues of Minimum Rate Tariff )  
No. 14-A. )

Case No. 7857  
(Petition for Modification  
No. 16)  
(Filed July 17, 1967)

OPINION AND ORDER

By Petitions for Modification Nos. 465 and 16 in Cases Nos. 5432 and 7857, California Trucking Association seeks various amendments in Minimum Rate Tariffs Nos. 2 and 14-A pertaining to the transportation of salt, grit and shells. 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 these proceedings, including relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code.

Petitioner proposes to (1) establish rates in Minimum Rate Tariff No. 14-A on crude salt which are the same as those which are provided in that tariff for grain, rice and related articles; (2) amend Minimum Rate Tariff No. 2 to provide that the current exemption from minimum rates in connection with shells shall only apply when the shipper certifies on the shipping document that the shells are to be used as fertilizer; and (3) amend the present description of grit in each of the above tariffs to include grit which is processed from shells.

Petitioner states that it has been informed by interested shippers and carriers that present tariff provisions are not responsive to current and foreseeable needs of agriculture and that the rates for the transportation of salt and grit do not provide distinction for the differences in value and other transportation characteristics which exist when the above commodities are transported as animal and poultry feeds.

According to petitioner, salt and grit are transported in a manner comparable to those commodities which are transported at lower rates as provided in Commission tariff provisions governing the transportation of grain and related items.

Copies of the petitions were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about July 14, 1967. The petitions were listed on the Commission's Daily Calendar of July 18, 1967. California Farm Bureau Federation and Western Salt Company have informed the Commission by letter that they support petitioner's proposals. No objection to the granting of the petitions has been received.

In the circumstances, it appears, and the Commission finds, that petitioner's proposals are reasonable and that the resulting minimum rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation involved, and, to the extent that said rates and charges will result in increases, such increases are justified. A public hearing is not necessary. The Commission concludes that the petitions should be granted.

Minimum Rate Tariff No. 2 will be amended accordingly by the order herein. In order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 14-A will be amended by separate order.

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 November 4, 1967, Fifth Revised Page 15-A and Seventh Revised Page 49-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 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 November 4, 1967; and 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 pages incorporated in this order. Tariff publications required and authorized herein shall be filed not earlier than the effective date of this order.

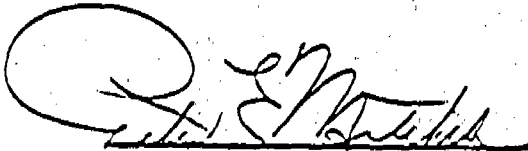
3. Common carriers, in establishing and maintaining the rates authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures

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.


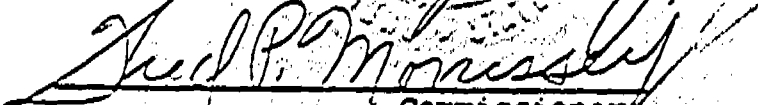
4. In all other respects Decision No. 31606, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 26<sup>th</sup> day of September, 1967.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_

  
  
\_\_\_\_\_  
Commissioner

Commissioner A. W. Gatev, being necessarily absent, did not participate in the disposition of this proceeding.

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">APPLICATION OF TARIFF-COMMODITIES (Concluded) (Items Nos. 40, 41 and 42)</p> <p>NOTE 1.-Includes only used empty carriers which are returning from an outbound paying load of traffic for which rates are not provided in this tariff, or which are being forwarded for a return paying load of traffic for which rates are not provided in this tariff (Subject to Item No. 80 of the Exception Ratings Tariff).</p> <p>NOTE 2.-Exemption applies only when commodities flagged subject to this note are shipped in milk shipping cans, in bottles in cases or crates, or in bulk in tanks.</p> <p>NOTE 3.-Exemption applies only when the distance between point of origin and destination does not exceed 35 miles, computed in accordance with the provisions of Item No. 100.</p> <p>42 NOTE 4.-Exemption applies only as to dried fruit in the natural state and which has not been cleaned, washed, stemmed or otherwise prepared or partially prepared for human consumption.</p> <p>NOTE 5.- Exemption applies only when shipper certifies on the shipping document covering the transportation that the shells are being shipped for use as a fertilizer.</p> <p>NOTE 11.-Exemption applies only to transportation between points within a radius of 25 miles of the intersection of 1st and Main Streets, Los Angeles, said mileage to be computed in accordance with the provisions of Item No. 100.</p> <p>NOTE 12.-Exemption applies only to transportation between points located within the Los Angeles Basin Territory as described in Item No. 270.</p> <p>NOTE 13.-Exemption expires with March 4, 1969.</p> <p>NOTE 14.-Exemption applies only to shavings to be utilized in the production of particleboard, flakeboard, hardboard, pulpboard or woodpulp.</p>
	<p>Change, Decision No. 73138</p>
	<p style="text-align: center;">EFFECTIVE NOVEMBER 4, 1967</p>
	<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California Correction No. 1872</p>

Item No.	SECTION NO. 3	COMMODITY RATES (Continued)
	(Applies in connection with rates making specific reference hereto.)	
	GRAIN, RICE, SEEDS, GRAIN PRODUCTS AND RELATED ARTICLES, viz.:	
	Feed, Animal or Poultry, and other articles not prepared for human consumption, viz.:	
	LIST NO. 5:	
	Feed, Animal or Poultry, viz.:	Rice Polish, Screenings, viz.:
	Beans, mesquite, Bran, rice, Cotton Seed Bran, Cow Peas, Grape Pomace, dry (with or without sweetening ingredients), viz.:	Alfalfa Seed, Bean, Flaxseed, ground or unground, and containing not more than 5% of flaxseed or other seeds,
	Grape Waste or Grape Pulp Meal,	Millet, Paddy Rice, Pea,
6522	Crit (processed from rock or shell),	(1) Seeds, as described under that heading in the
	Hulls, almond (the outer jacket of almonds as harvested) whole or ground,	Governing Classification, in packages (except bins or except containers with a capacity exceeding 40
	Hulls, cottonseed,	cubic feet),
	Hulls, rice, whole or ground,	Tailings, rice mill.
	Hulls, safflower seed,	
	Hulls, sunflower seed,	
	Meal, rice (mixture of rice bran and rice polish),	
	Pulp, beet (with or without sweetening ingredients), dry,	
	Pellets, beet pulp, dry (with or without sweetening ingredients),	
	(1) Unless otherwise exempt under the provisions of Items Nos. 40 through 42.	
	LIST NO. 6:	
	Oil Cake, Oil Cake Meal, or Oil Cake Pellets or Cubes, vegetable sweetened or unsweetened.	

Change, Decision No. 73138

EFFECTIVE NOVEMBER 4, 1967

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 1873