

Decision No. 73735

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)	Case No. 7857
for the purpose of considering and)	(Petition for Modification
determining revisions in or reis-)	No. 17)
sues of Minimum Rate Tariff No.)	(Filed January 9, 1968)
14-A.)	

OPINION AND ORDER

By this petition, California Trucking Association seeks various amendments in Minimum Rate Tariff No. 14-A pertaining to the transportation of grain, rice and related commodities.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 requests that the sought relief be expedited and that the tariff amendments be made effective April 1, 1968, in view of the rapidly approaching harvest seasons of the commodities involved.

Petitioner proposes (1) to amend the multiple lot rule now applicable to hay so that it will also apply to field pickup shipments of grain, rice and related commodities; (2) to increase the charge for loading certain field pickup shipments one cent per 100 pounds and (3) to increase the charges for accessorial services generally one cent and charges for split pickup and delivery services by varying amounts.²

¹ Minimum Rate Tariff No. 14-A (Tariff No. 14-A) names statewide minimum rates for the transportation of specific agricultural commodities, including grain, rice, seeds and related commodities in bulk, when generally subject to minimum weights of 10,000 pounds or more.

² The proposed amendments, including the increases in the accessorial and split pickup and delivery charges, are set forth in detail in Exhibit A attached to the application.

Petitioner states that recent discussions between shipper and carrier representatives indicate that the proposed revisions in Tariff No. 14-A are needed to afford all agricultural commodities involved in field pickups the flexibility of tariff application now available only to shipments of hay, and to provide all commodities the certainty of application inherent in the establishment of a single charge for field pickup shipments. Petitioner alleges that all proposed changes reflect the considered opinion of shippers and carriers involved in the subject transportation as being those changes needed to reflect changing circumstances, with minimum disruption of existing industry patterns. The proposed increases in the charges now applicable to the various accessorial services involved, petitioner asserts, are necessary to make such charges more closely related to the current costs of providing such services.

Copies of the petition were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about January 8, 1968. The petition was listed on the Commission's Daily Calendar of January 11, 1968. California Farm Bureau Federation has informed the Commission by letter that it supports petitioner's proposals and urges ex parte action thereon. No objection to the granting of the petition 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 petition should be granted and that the tariff amendments involved should be made effective April 1, 1968, as requested.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 14-A (Appendix A to Decision No. 67397, as amended) is hereby further amended by incorporating therein, to become effective April 1, 1968, the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix are 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 shall be made effective not later than April 1, 1968. Tariff publications required herein shall be filed not earlier than the effective date of this order.

3. Common carriers, in establishing and maintaining the rules and charges 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 rules and charges 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. 67397, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 14th day of February, 1968.

[Signature]
President

[Signature]

[Signature]

[Signature]
Commissioners

C. 7857 (Pet. 17) - np

APPENDIX A TO DECISION NO. 73735

List of Revised Pages to Minimum Rate Tariff No. 14-A

Authorized by Said Decision

First Revised Page 7

Second Revised Page 8

Second Revised Page 12

First Revised Page 14

(END OF APPENDIX A LIST)

SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	Item No.									
<p style="text-align: center;">DELAYS TO EQUIPMENT</p> <p>1. Except as provided in paragraph 2, a period of two hours for loading and two hours for unloading shall be allowed for each unit of equipment.</p> <p>2. A period of four hours for loading and four hours for unloading shipments of whole grain shall be allowed for each unit of equipment.</p> <p>3. "Unit of Equipment" means a motor truck, and/or trailer or semitrailer, exclusive of motor tractor.</p> <p>4. Charges for loading and/or unloading time in excess of free time authorized in paragraph 1 of this item are provided in Item No. 130.</p> <p>5. A charge of 2¢ per 100 pounds will be made by the carrier on all shipments of whole grain on all equipment unloaded or loaded after free time has elapsed.</p>	120									
<p style="text-align: center;">CHARGES FOR ACCESSORIAL SERVICES AND FOR EQUIPMENT HELD AFTER FREE TIME HAS ELAPSED</p> <p>The charges provided in this item apply for accessorial services, as provided in Item No. 110, and for time in excess of the free time specified in Items Nos. 120 and 190.</p> <p style="text-align: center;"><u>Charges in Cents</u></p> <table border="0" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th style="text-align: center;">For First 30 Minutes or <u>Fraction</u></th> <th style="text-align: center;">For Each Additional 15 Minutes or <u>Fraction</u></th> </tr> </thead> <tbody> <tr> <td>(a) For driver or other carrier employee, per man -----</td> <td style="text-align: center;">0400</td> <td style="text-align: center;">0200</td> </tr> <tr> <td>(b) For unit of equipment (each motor truck, trailer or semitrailer, exclusive of motor tractors -----)</td> <td style="text-align: center;">65</td> <td style="text-align: center;">33</td> </tr> </tbody> </table>		For First 30 Minutes or <u>Fraction</u>	For Each Additional 15 Minutes or <u>Fraction</u>	(a) For driver or other carrier employee, per man -----	0400	0200	(b) For unit of equipment (each motor truck, trailer or semitrailer, exclusive of motor tractors -----)	65	33	0130
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ø Change }
ø Increase } Decision No. 73735

EFFECTIVE APRIL 1, 1968

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 53

SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	Item No.
<p data-bbox="450 440 1149 504">SHIPMENTS TRANSPORTED IN MULTIPLE LOTS (Items Nos. 140 and 141)</p> <p data-bbox="414 570 450 591">**</p> <p data-bbox="249 723 1240 856">1. A shipment (including a split pickup shipment or a split delivery shipment) may be picked up at different times and transported in two or more lots, provided the following provisions are observed:</p> <ul style="list-style-type: none"><li data-bbox="403 886 1257 983">(a) The entire shipment shall be available for immediate transportation at the time of the first pickup.<li data-bbox="403 1014 1257 1233">(b) Except as provided in paragraph 2 of this item, at the time of or prior to the first pickup, the carrier shall issue to the debtor a single multiple lot document for the entire shipment. The single multiple lot document shall show the following information:<ul style="list-style-type: none"><li data-bbox="497 1268 1257 1365">(1) Name of debtor, name of consignor (or consignors) and name of consignee (or consignees).<li data-bbox="497 1365 1257 1437">(2) Point or points of origin and point or points of destination.<li data-bbox="497 1437 1257 1462">(3) Date of first pickup.<li data-bbox="497 1462 1257 1533">(4) The kind and quantity of property in the multiple lot shipment. <p data-bbox="249 1554 1207 1686">2. When written information as required in subparagraph 1(b) of this item has not been received by the carrier prior to or at the time of the first pickup, the following provisions shall apply:</p> <ul style="list-style-type: none"><li data-bbox="403 1717 1257 2043">(a) Written shipping instructions shall be furnished by the debtor to the carrier within a period of two calendar days (excluding Saturdays, Sundays and legal holidays) of the date on which the first lot is picked up. The written instructions shall confirm oral shipping instructions and shall describe the kind and quantity of property in the multiple lot shipment.	<p data-bbox="1323 1212 1405 1251">140</p>

(b) Within a period of two calendar days (excluding Saturdays, Sundays and legal holidays) of the date on which it receives the written shipping instructions, the carrier shall issue to the debtor the single multiple lot document for the entire shipment as required by subparagraph 1(b) of this item.

(Continued in Item No. 141)

∅ Change)
** Restriction eliminated) Decision No. 73735

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Correction No. 54

SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)			Item No.
<p>ADDITIONAL CHARGES FOR SPLIT PICKUP OR SPLIT DELIVERY SHIPMENT</p>			
<p>Weight of Component Part (Pounds)</p>		<p>◇ Charge for Each Component Part (Cents)</p>	<p>ø170</p>
Over	But Not Over		
0	2,000	----- 350	
2,000	4,000	----- 400	
4,000	10,000	----- 500	
10,000	-----	----- 600	
<p>FIELD PICKUP SHIPMENT</p>			
<p>1. Field pickup shipment means a quantity of property transported by one carrier for one debtor from a point in a single field or farm site.</p>			
<p>2. A "single field or farm site" is that area devoted to the production of grain or rice, or to the production of hay or related commodities. In no event shall field or farm site exceed 1 section (640 acres).</p>			
<p>3. The point of origin of a field pickup shipment shall be the point in a single field or farm site nearest the point of destination.</p>			
<p>4. Additional charges for loading a field pickup shipment shall be assessed as follows:</p>			<p>ø180</p>
<p>(a) For shipments subject to the rates provided in Items Nos. 300 and 400, at the charges provided in said items. (See Exception.)</p>			
<p>EXCEPTION.--No charge shall be applicable to any shipment of baled hay, fodder or straw loaded from a single stack.</p>			
<p>ø(b) For shipments subject to the rates provided in Item No. 550, add 2 cents per 100 pounds to the rate otherwise applicable. (See Exception)</p>			
<p>**</p>			
<p>ø***</p>			

EXCEPTION.-No charge shall be applicable to any shipment moving from a permanent storage facility (i.e.: warehouse, silo, bin, tank) with a minimum storage capacity of 48,000 pounds.

5. A single shipping document for the entire field pickup shipment shall be issued prior to or at the time of the first pickup. Such shipping document shall show the name of the debtor, the name of the consignor, the name of the carrier, point of origin, point of destination, date, kind and estimated quantity of property to be transported.

6. When written information as required in paragraph 5 of this item has not been received by the carrier prior to or at the time of the first pickup, the following provisions shall apply:

- (a) Written shipping instructions shall be furnished by the debtor to the carrier within a period of two calendar days (excluding Saturdays, Sundays and legal holidays) of the date on which the first lot is picked up. The written instructions shall confirm oral shipping instructions and shall describe the kind and quantity of property in the field pickup shipment.
- (b) Within a period of two calendar days (excluding Saturdays, Sundays and legal holidays) of the date on which it receives the written shipping instructions, the carrier shall issue to the debtor the single shipping document for the entire field pickup shipment as required by paragraph 5 of this item.

7. A single freight bill for each field pickup shipment transported, stating the rate and charge, shall be issued no later than seven days from the date of the first pickup. Such freight bill shall show the point of origin, point of destination, the name of the debtor, the name of the consignor, the name of the carrier, date, description and weight of the property in each component part separately transported. A separate document may be issued for each component part, showing the point of origin, point of destination, date, description and weight of each component part so transported, and shall give reference to the single freight bill covering the entire field pickup shipment and shall be attached thereto and become a part thereof.

o Change)	
^ Increase)	Decision No. 73735
** Provisions eliminated)	
*** Former paragraph 4-b-(2) eliminated)	

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Correction No. 55

SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	Item No.
<p style="text-align: center;">ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER RATES</p> <p>1. If a common carrier rate used for highway transportation as provided in Items Nos. 200 and 210 does not include accessorial services performed by the highway carrier, the following additional charges shall be assessed:</p> <p>(a) For loading or unloading carrier's equipment:</p> <p>(1) 3¢ per 100 pounds assessed on the weight on which transportation charges are computed when the shipment is loaded into or unloaded from the carrier's equipment by the consignor or consignee with the physical assistance of a single carrier employee (either a driver or a helper and the labor performed is restricted to work within or on carrier's equipment) by use of power equipment, as described in Item No. 10, furnished by the consignor or consignee without expense to carrier, provided the freight bill issued pursuant to Item No. 250 indicates that the shipment was loaded and/or unloaded under said circumstances.</p> <p>(2) 5¢ per 100 pounds assessed on the weight on which transportation charges are computed when the shipment is loaded into or unloaded from the carrier's equipment other than as provided in subparagraph (a)(1) or when information required by subparagraph (a)(1) is not contained on the freight bill, except as provided in paragraph 3.</p> <p>(b) For other accessorial services, the charges provided in Item No. 130.</p> <p>2. Except as provided in Item No. 210, Alternative Application of Combinations with Common Carrier Rates, split pickup or split delivery service shall not be accorded unless included in the common carrier rate.</p> <p>3. Loading and/or unloading charges shall apply in all circumstances except the following:</p> <p>(a) When rates provided in this tariff are combined with rail carload rates and</p> <p>(1) point of origin is not directly served by rail spur track, only the charge for unloading shall be assessed;</p>	6220

- (2) point of destination is not directly served by rail spur track, only the charge for loading shall be assessed;
- (3) neither point of origin nor point of destination is directly served by rail spur track, no charge for loading or for unloading shall be assessed.

(b) When a shipment of any commodity in bulk is loaded into and/or unloaded from the carrier's equipment by gravity;

(c) when a shipment is loaded into and/or unloaded from the carrier's equipment by the consignor and/or consignee with power equipment; or

(d) when the carrier's equipment is a trailer or semitrailer left for loading and/or unloading without the presence of the carrier's employees, provided the shipping document issued for the shipment specifies that it was loaded and/or unloaded under one of the circumstances described in this paragraph, or in paragraphs (b) or (c) above.

∅ Change)
◇ Increase) Decision No. 73735

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