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**ORIGINAL**

Decision No. 73821

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 uncrated )  
new furniture (commodities for which )  
rates are provided in Minimum Rate )  
Tariff No. 11-A). )

Case No. 5603  
Petition for Modification  
No. 47  
(Filed December 12, 1967)

Arlo D. Poe, H. F. Kollmyer, and J. C. Kaspar,  
For California Trucking Association,  
petitioner.

R. C. Fels, for Furniture Manufacturers  
Association of California, interested party.

Harry E. Smith, for Lads Furniture Freight,  
Inc., respondent.

R. J. Staunton and J. M. Jenkins, for the  
Commission staff.

O P I N I O N

Minimum Rate Tariff No. 11-A contains statewide minimum rates for the transportation of uncrated (blanket-wrapped) new furniture. The rates in said tariff were last adjusted pursuant to Decision No. 73220, dated October 24, 1967, in Case No. 5603, Petition No. 40. That decision revised the format of the tariff and made substantial changes in rate levels. The adjustments made in Decision No. 73220 reflected proposals of California Trucking Association (CTA) based on cost and economic studies presented by that organization. Said studies reflected costs, including wage contracts, and allied labor costs, in effect on April 1, 1967. In this petition, CTA seeks increases in the minimum rates to compensate for changes in labor and allied costs occurring since April 1, 1967.

Public hearing was held and the matter was submitted before Examiner Mallory in Los Angeles on January 29, 1968. Evidence in support of the petition was adduced by CTA. No one opposed the relief sought. Representatives of the Furniture Manufacturers Association of California and the Commission staff assisted in the development of the record.

The Assistant Director of CTA's Division of Transportation Economics presented an exhibit measuring the impact of changes in costs occurring since MRT 11-A was last adjusted. The witness testified that wage rates were increased pursuant to a new wage contract negotiated in the fall of last year, which became effective retroactively to November 1, 1967; that the manual rate for workmen's compensation insurance was reduced, effective October 1, 1967; and that payroll taxes were increased, effective January 1, 1968. The witness showed the effect of these changes by substituting current wages and allied costs for those set forth in his prior cost study (Exhibit 40-1) introduced in Petition No. 40.<sup>1/</sup> The current study (Exhibit 47-1) showed that the effect of such changes was to increase costs by amounts ranging from 2.20 percent to 4.83 percent, depending on the shipment weight and length of haul.

The witness proposed that rates and charges in MRT 11-A be increased by the same percentages as the corresponding increases in costs as measured in his revised study. The witness determined that the average increase in minimum rates would be 3 percent. The witness estimated, based on analyses of revenues of carriers hauling uncrated new furniture, that the proposed rate increases would result in an annual increase in revenues of approximately \$90,000 to said group of carriers.

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1/ No changes were made in costs other than those related to labor.

The Commission finds that increases in rates and charges in Minimum Rate Tariff No. 11-A, as proposed herein, have been shown to be justified, and that the resulting rates and charges are, and for the future will be, the just, reasonable and nondiscriminatory minimum rates and charges for the services to which they apply.

We conclude that Petition No. 47 should be granted, that Minimum Rate Tariff No. 11-A should be amended to provide for the increased rates and charges found herein to be just and reasonable, and that common carriers subject to the provisions of said tariff should be required to adjust their rates accordingly.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff No. 11-A (Appendix A of Decision No. 50114, as amended) is further amended by incorporating therein to become effective April 27, 1968, the revised pages attached hereto and listed in Appendix A also attached hereto, which revised pages and Appendix by this reference are made a part hereof.
2. Common carriers as defined in the Public Utilities Act, to the extent they are subject to the requirements of Decision No. 50114, as amended, are directed to establish in their tariff rates, charges and rules no lower in volume or effect than the minimum rate, charges and rules established pursuant to ordering paragraph 1 hereof.
3. Tariff publications required to be made by common carriers as a result of the order herein shall be filed not earlier than the effective date of this order and 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 27, 1968.



APPENDIX A TO DECISION NO. 73821

List of Revised Pages to Minimum Rate Tariff No. 11-A

Authorized by Said Decision

Thirteenth Revised Page 6

Twelfth Revised Page 7

Fourteenth Revised Page 15

Second Revised Page 15-A

Twelfth Revised Page 16

(END OF APPENDIX A LIST)

SECTION NO. 1--RULES AND REGULATIONS (Continued)	Item No.								
<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates provided in this tariff are for the transportation of shipments from point of origin to point of destination and include loading into and unloading from carrier's unit of equipment, subject to Notes 1, 2 and 3.</p> <p>NOTE 1.--When the point of origin is other than an established depot, the additional rate provided below shall be added to the rates for the corresponding minimum weights as set forth in Section 3. The sum of these rates shall be the rate applicable to a single shipment from point of origin to point of destination.</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: left;"><u>Minimum Weight</u></th> <th style="text-align: center;"><u>◇ Rates in Cents Per 100 Pounds</u></th> </tr> </thead> <tbody> <tr> <td>Any Quantity -----</td> <td style="text-align: center;">150</td> </tr> <tr> <td>500 Pounds -----</td> <td style="text-align: center;">120</td> </tr> <tr> <td>2,000 Pounds -----</td> <td style="text-align: center;">100</td> </tr> </tbody> </table> <p>NOTE 2.--When the actual weight of a single shipment exceeds 5,000 pounds, the provisions of Note 1 shall not apply.</p> <p>NOTE 3.--When shipments are transported for persons, companies or corporations upon whose premises established depots are located, the provisions and charges of Note 1 shall be applied.</p>	<u>Minimum Weight</u>	<u>◇ Rates in Cents Per 100 Pounds</u>	Any Quantity -----	150	500 Pounds -----	120	2,000 Pounds -----	100	660
<u>Minimum Weight</u>	<u>◇ Rates in Cents Per 100 Pounds</u>								
Any Quantity -----	150								
500 Pounds -----	120								
2,000 Pounds -----	100								
<p style="text-align: center;">ACCESSORIAL SERVICES</p> <p>When carrier performs any accessorial or incidental service which is not authorized to be performed under rates named in this tariff, and for which a charge is not otherwise provided, additional charges shall be assessed as provided in Item No. 90. The charge therein provided for unit of equipment shall apply whenever the accessorial or incidental service requires its use, or whenever the unit of equipment is inactivated by reason of its driver or helper being engaged in such service.</p>	70								
<p style="text-align: center;">DELAYS TO EQUIPMENT</p> <p>When consignor or consignee is responsible for delay to carrier's equipment at or in vicinity of either point of loading or point of unloading in excess of 30 minutes (exclusive of time actually involved in loading or unloading) additional charges for delay time in excess of 30 minutes shall be assessed as provided in Item No. 90.</p>	80								

CHARGES FOR ACCESSORIAL SERVICES OR DELAYS

For accessorial services or delays under the conditions specified in Items Nos. 70 and 80, charges shall be assessed for each period or fraction thereof, as follows:

	Charges in Cents		690
	For First 30 Minutes	For Each Additional 15 Minutes	
(a) For driver, helper or other employee, per man —	0375	0190	
(b) For unit of equipment —	75	40	

◇ Change      )  
 ◇ Increase    ) Decision No. 73821

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 San Francisco, California.  
 Correction No. 83

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;"><b>MINIMUM CHARGE</b></p> <p>The minimum charge per shipment shall be the charge for 100 pounds at the applicable rate but not less than:</p> <p>(a) 0415 cents per shipment when the constructive distance from point of origin to destination does not exceed 150 miles.</p> <p>(b) 0520 cents per shipment when the constructive distance from point of origin to destination exceeds 150 miles.</p>	0100
<p style="text-align: center;"><b>SHIPMENTS TRANSPORTED BY TWO OR MORE CARRIERS</b></p> <p>When shipments in continuous through movement are transported by two or more carriers, the rates (including minimum charges) provided herein from point of origin to point of destination shall be the minimum rates for the combined transportation.</p>	110
<p style="text-align: center;"><b>SHIPMENTS TO BE RATED SEPARATELY</b></p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the carrier.</p>	120
<p style="text-align: center;"><b>ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</b></p> <p>Common carrier rates may be applied in lieu of the rates provided in this tariff, when such common carrier rates produce a lower aggregate charge for the same transportation and for the same accessorial services, than results from the application of the rates herein provided. (See Note)</p> <p>NOTE.--In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.</p>	130

ACCESSORIAL CHARGES NOT TO BE OFFSET BY  
TRANSPORTATION CHARGES

Accessorial charges set forth in this tariff for  
accessorial services not included in the rate for actual  
transportation shall be assessed and collected when such  
services are performed, regardless of the level of the  
transportation rate assessed. Such accessorial charges  
may not be waived on the basis that a higher-than-minimum  
transportation rate serves as an offset.

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SECTION NO. 3--RATES								Item No.
DISTANCE RATES IN CENTS PER 100 POUNDS (See Note 1)								
MILES Over		Any Quantity		Minimum Weight 500 Pounds		Minimum Weight 2,000 Pounds		
		Column A(See Note 2)	Column B(See Note 3)	Column A(See Note 2)	Column B(See Note 3)	Column A(See Note 2)	Column B(See Note 3)	
0	5	243	202	172	143	138	115	
5	10	250	208	179	149	145	121	
10	15	257	214	186	155	153	127	
15	20	265	221	194	162	161	134	
20	25	273	227	202	168	169	141	
25	30	281	234	210	175	177	147	
30	35	288	240	217	181	184	153	
35	40	296	247	225	187	191	159	
40	45	303	252	232	193	198	165	
45	50	310	258	239	199	206	172	
50	60	324	270	253	211	219	182	
60	70	338	282	267	222	233	194	
70	80	352	293	281	234	248	207	
80	90	366	305	296	247	262	218	
90	100	376	313	305	254	272	227	
100	110	385	321	314	262	281	234	\$100
110	120	395	329	324	270	290	242	
120	130	404	337	333	277	300	250	
130	140	413	344	342	285	309	257	
140	150	422	352	351	292	318	265	
150	160	429	357	358	298	325	271	
160	170	438	365	367	306	334	278	
170	180	447	372	376	313	343	286	
180	190	456	380	386	322	353	294	
190	200	466	388	396	330	363	302	

(Continued in Item No. 405)

NOTE 1.--Rates in this item apply only when point of origin is an established depot. When point of origin is other than an established depot, add the additional rates provided in Item No. 60 to the rates provided in this item. The sum of these rates shall be the rate applicable for a single shipment from point of origin to point of destination.

NOTE 2.--Column A rates apply to shipments of articles which have an LTL class rating of 150 or higher in the Governing Classification. (See Notes 4 and 5)

NOTE 3.--Column B rates apply to shipments of articles which have an LTL class rating of less than 150 in the Governing Classification. (See Notes 4 and 5)

NOTE 4.—When there are two or more ratings (sub-numbers) under individual items describing articles of furniture in the Governing Classification, the highest rating shall apply.

NOTE 5.—The LTL class ratings applicable under Notes 2, 3 and 4 above are not subject to the provisions of Rules 423 and 687 of the Governing Classification.

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SECTION NO. 3--RATES (Continued)								Item No.
DISTANCE RATES IN CENTS PER 100 POUNDS (See Note 1)								
MILES But Not Over	Over	Any Quantity		Minimum Weight 500 Pounds		Minimum Weight 2,000 Pounds		
		Column A (See Note 2)	Column B (See Note 3)	Column A (See Note 2)	Column B (See Note 3)	Column A (See Note 2)	Column B (See Note 3)	
200	220	485	404	414	345	381	317	
220	240	501	417	430	358	396	330	
240	260	516	430	445	371	412	343	
260	280	533	444	463	386	429	357	
280	300	551	459	480	400	447	372	
300	325	565	471	494	412	461	384	
325	350	584	487	513	427	480	400	
350	375	603	502	532	443	499	416	
375	400	623	519	552	460	518	432	
400	425	642	535	571	476	538	448	
425	450	662	552	591	492	557	464	
450	475	680	567	609	507	576	480	
475	500	699	582	628	523	595	496	
500	525	719	599	648	540	614	512	
525	550	738	615	667	556	634	528	
550	575	758	632	686	572	653	544	
575	600	777	647	706	588	673	561	
600	625	796	663	725	604	692	577	
625	650	816	680	745	621	711	592	
650	-	(See Note 6)		(See Note 6)		(See Note 6)		

NOTE 1.—Rates in this item apply only when point of origin is an established depot. When point of origin is other than an established depot, add the additional rates provided in Item No. 60 to the rates provided in this item. The sum of these rates shall be the rate applicable for a single shipment from point of origin to point of destination.

NOTE 2.—Column A rates apply to shipments of articles which have an LTL class rating of 150 or higher in the Governing Classification. (See Notes 4 and 5)

NOTE 3.—Column B rates apply to shipments of articles which have an LTL class rating of less than 150 in the Governing Classification. (See Notes 4 and 5)

NOTE 4.—When there are two or more ratings (sub-numbers) under individual items describing articles of furniture in the Governing Classification, the highest rating shall apply.

NOTE 5.—The LTL class ratings applicable under Notes 2, 3 and 4 above are not subject to the provisions of Rules 423 and 687 of the Governing Classification.

NOTE 6.—For each 25 miles (or fraction thereof) in excess of 650 miles, add to the rate for 650 miles the following:

Column A: 20 cents per 100 pounds  
 Column B: 17 cents per 100 pounds

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Correction No. 86

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SECTION NO. 3—RATES (Concluded)						Item No.
POINT-TO-POINT RATES IN CENTS PER 100 POUNDS (See Notes 1 and 2)						
BETWEEN: Los Angeles Territory	Any Quantity		Minimum Weight 500 Pounds		Minimum Weight 2,000 Pounds	
	Column A (See Note 3)	Column B (See Note 4)	Column A (See Note 3)	Column B (See Note 4)	Column A (See Note 3)	Column B (See Note 4)
AND: San Francisco Territory	628	523	572	477	538	448
(See Item No. 300)						
<p>NOTE 1.—Rates in this item apply only when point of origin is an established depot. When point of origin is other than an established depot, add the additional rates provided in Item No. 60 to the rates provided in this item. The sum of these rates shall be the rate applicable for a single shipment from point of origin to point of destination.</p> <p>NOTE 2.—If charges accruing under rates in this item, applied on shipments from, to, or between points intermediate between the Los Angeles and San Francisco Territories via routes shown in Item No. 500 are lower than charges accruing under the distance rates in Items Nos. 400 and 405, on the same shipment, such lower charges will apply. Rates in this item applied to intermediate points under these provisions apply at all points located within a distance of one actual highway mile on either side of the authorized route and at all points located within incorporated cities through which the highway route passes.</p> <p>NOTE 3.—Column A rates apply to shipments of articles which have LTL class rating of 150 or higher in the Governing Classification. (See Notes 5 and 6)</p> <p>NOTE 4.—Column B rates apply to shipments of articles which have LTL class rating of less than 150 in the Governing Classification. (See Notes 5 and 6)</p> <p>NOTE 5.—When there are two or more ratings (sub-numbers) under individual items describing articles of furniture in the Governing Classification, the highest rating shall apply.</p> <p>NOTE 6.—The LTL class ratings applicable under Notes 3, 4 and 5 above are not subject to the provisions of Rules 423 and 687 of the Governing Classification.</p>						8110
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