

ORIGINAL

Decision No. 73943

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 com-)
modities 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. 492)
(Filed March 13, 1968)

OPINION AND ORDER

By this petition, California Trucking Association seeks various amendments in Minimum Rate Tariff No. 2 pertaining to the transportation of lumber and related articles. 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 expedited action in this matter because of the rapidly approaching lumbering and construction seasons.

Petitioner seeks to amend the 20,000 and 40,000-pound rates and establish 48,000-pound rates on lumber and forest products for transportation within 150 miles of Metropolitan Zone 229 (Los Angeles area). In connection with the transportation of the above commodities elsewhere in California, petitioner proposes: (1) to establish 40,000 and 50,000-pound rates in lieu of the current 34,000 and 44,000-pound rates on lumber and certain forest products;¹

¹ The forest products are railroad ties, timbers, boards or sheet (sawdust or ground wood), plywood and veneer.

and (2) to revise the 40,000-pound rates and establish 50,000-pound rates on certain other forest products.² Petitioner also proposes to modify the involved commodity descriptions so that wooden lath will be specifically included therein and each commodity will be identified with its corresponding description in the Governing Classification.

Petitioner states that the rates governing the transportation of lumber and related articles in Minimum Rate Tariff No. 2 have not been revised in substance since 1960 and that various changes in the needs of lumber shippers and the operations of lumber haulers have occurred since that date. Petitioner alleges that the shippers and carriers made separate investigations and studies concerning the necessary tariff revisions and held joint meetings with each other concerning their determinations. According to petitioner, its proposal reflects the needs of such shippers and carriers.

Petitioner declares that the proposed tariff revisions involve both increases and reductions as might be expected in long-standing tariff provisions but that the overall result would generally be reductions for producers and consumers of such products. Petitioner avers that technological improvements in equipment capacity and design permit the establishment of lower hundredweight charges when shipments are tendered in such manner and quantity as to maximize the cost savings inherent in such technological improvements. Petitioner contends that for-hire motor carriers will also benefit from the improved utilization of their modern higher-priced equipment and their increased ability to compete with proprietary operations in similar equipment.

² The other forest products are wooden cross arms, piling, poles, posts and shingles and box or crate material.

Petitioner asserts that there is an urgent need for modernization of the involved tariff provisions, and that the proposed tariff revisions will be responsive to the current needs of lumber shippers and carriers.

Copies of the verified petition were served upon various chambers of commerce, shipper organizations and carrier representatives. The petition was listed on the Commission's Daily Calendar of March 14, 1968. The Commission has received several letters from interested parties stating that they support petitioner's proposal. 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, 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.

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 May 11, 1968, the original and revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix are 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

³ Letters in support of the petition were received from American Forest Products Corporation, J. H. Baxter, Corona Box & Lumber Co., Fluor Products Company, Inc., Kimberly-Clark Corporation, Masonite Corporation, M. B. and C. Lumber, Inc., Simpson Timber Company, United Forest Products Co. and U. S. Plywood-Champion Papers Inc.

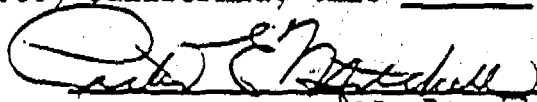
not less than ten days' notice to the Commission and to the public and such tariff publications shall be made effective not later than May 11, 1968; and tariff publications which are authorized but not required to be made by common carriers as a result of the order herein may be made effective not earlier 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-four days after the date hereof.

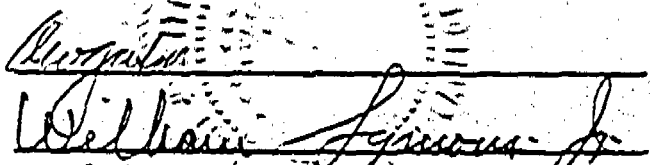
Dated at San Francisco, California, this 2nd day of April, 1968.



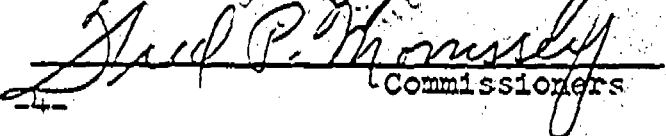
President



Commissioner



Commissioner



Commissioners

APPENDIX A TO DECISION NO. 73943

List of Original and Revised Pages
to Minimum Rate Tariff No. 2
Authorized by Said Decision

Thirty-sixth Revised Page 3

Forty-seventh Revised Page 7

Original Page 51-BB

Ninth Revised Page 51-C

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Fourteenth Revised Page 51-DD

(END OF APPENDIX A LIST)

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*Addition, Decision No. 73943

EFFECTIVE MAY 11, 1968

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

Correction No. 1926

INDEX OF COMMODITIES (Continued)

COMMODITY	Item Number	COMMODITY	Item Number
Lime, Chlorinated	730-732	Meats, fresh	376
Liquid, cigar or cigarette lighter (M)	377.5, 723-726	Mechanics' Tools (M)	365
Liquors, Malt	360	Meters, water, or parts	376.5
Liquors, Vinous	360	Middlings	652-654½
Lubricant, Grease Binder	377.5, 723-726	Military toilet kits	395
Lubricant, metal cutting, drawing or drilling (M)	377.5, 723-726	Milk	345
Lumber	*685 690, 700, 710	Milk (condensed, evaporated or sterilized)	320
Lye, Concentrated	730-732	Milk, dried	652-654½
Macaroni (M)	652-654½	Milk Food, other than malted, liquid	320
Macaroni, except canned	360	Milk, Malted	360
Macaroni (prepared)	320	Milk, Pasteurized	345
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Maize	652-654½	Milk, sour skim	652-654½
Malt	652-654½	Milk, Sterilized	320, 345
Malt Sprouts	652-654½	Milk Substitutes	345
Malted Milk	360	Milo Maize	652-654½
Mash	652-654½	Mince Meat	320
Mayonnaise	320-1	Mix, Pizza Pie	345
Meal, Alfalfa	652-654½	Mixtures, Mineral	652-654½
Meal, Babassu Nut	652-654½	Molasses	320-1, 652-654½
Meal, Bean Straw	652-654½	Molasses, Blackstrap	652-654½
Meal, Bone	652-654½	Molasses, Beet Sugar Final	652-654½
Meal, Blood	652-654½	Molasses, Corn Sugar Final (Hydrol)	652-654½
Meal, Clover	652-654½	Monoglycerides of Fat-forming Acids	335-5
Meal, Clover, ground	652-654½	Mud or Compounds, well drilling	365
Meal, Coconut	652-654½	Mushrooms	320-1
Meal, Copra	652-654½	Mustard	360
Meal, Corn Germ	652-654½	Mustard, prepared	320-1
Meal, Corn Oil (M)	652-654½	Noodles (M)	652-654½
Meal, Dried Fruit Seed	652-654½	Noodles and Cheese	345
Meal, Feather	652-654½	Noodles, except canned	360
Meal, Fish	652-654½	Noodles (prepared)	320
Meal, Flaxseed	652-654½	Noodles, dry, and other ingredients	345, 360
Meal, Fruit pomace	652-654½	Nuts, edible, shelled	350-360
Meal, Gluten	652-654½	Oats	652-654½
Meal (Grain)	652-654½	Oats, rolled	652-654½
Meal, Grass, dehydrated	652-654½	Offal	652-654½
Meal, Hemp Seed	652-654½	Offal, Wheat Cereal	652-654½
Meal, Hull or Shell, Nut	652-654½	Oil, Cooking	320-1, 335-5
Meal, Kapok Seed	652-654½	Oil, Fish (M)	652-654½
Meal, Linseed	652-654½		
Meal, Meat	652-654½		
Meal, Mesquite (M)	652-654½		

Meal, Molasses	652-654 $\frac{1}{2}$	Oil, Olive	320-1
Meal, Oil Cake	652-654 $\frac{1}{2}$	Oil (other than medicinal) (M)	377-5,723-726
Meal, Palm	652-654 $\frac{1}{2}$	Oil, petroleum medicinal (M)	377-5,723-726
Meal, Palm Kernel	652-654 $\frac{1}{2}$	Oil, Salad	320-1, 335-5
Meal, Peanut	652-654 $\frac{1}{2}$	Oleomargarine	320-1
Meal, Perilla	652-654 $\frac{1}{2}$	Olives	320
Meal, Perilla Seed	652-654 $\frac{1}{2}$	Onion Chips	320
Meal, Rape Seed	652-654 $\frac{1}{2}$	Onion, Powdered	320
Meal, Rice	652-654 $\frac{1}{2}$	Outfits, insect destroying (M)	377-5,723-726
Meal, Safflower Seed	652-654 $\frac{1}{2}$	Outfits, Oil, Water or Gas Well	365
Meal, Sesame Seed	652-654 $\frac{1}{2}$	Paint, asphaltic (M)	377-5,723-726
Meal, Soya Bean	652-654 $\frac{1}{2}$	Paint, liquid (M)	377-5,723-726
Meal, Sunflower Seed	652-654 $\frac{1}{2}$	Paper, abrasive	302
Meal, Tomato Pomace	652-654 $\frac{1}{2}$	Paper, emery	302
Meal, Tucum Nut	652-654 $\frac{1}{2}$	Parts, Boiler (M)	365
Meal, Vegetable	652-654 $\frac{1}{2}$	Paste, Confectionery	360
Meal, Velvet Bean	652-654 $\frac{1}{2}$	Paste, Icing	360
Meat (Animal Feed)	338	Paste, Tomato	320-1
Meat, other than fresh	360	Peaches, powdered	350
Meat Substitutes	360	Peanut Butter	320-1
Meats, cooked, cured or preserved	320, 345	Peanut Spread	320-1

(M) Denotes articles on which application of rates is limited to mixed shipments.

*Addition, Decision No. 73943

EFFECTIVE MAY 11, 1968.

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

Correction No. 1927

Item No.	SECTION NO. 3	COMMODITY RATES (Continued)														
670	<p>CHARGES FOR WEIGHING SHIPMENTS</p> <p>The initial weighing of shipments of commodities described in Item No. 685 may be performed by the carrier and at carrier's expense. For reweighing such shipments, the carrier shall assess a charge of not less than 98 cents.</p>															
680	<p style="text-align: center;">PROVIDED WEIGHTS</p> <p>Provided weights contained in this item shall be used in lieu of actual gross weights in connection with the following transportation of Lumber and Forest Products:</p> <ol style="list-style-type: none"> 1. Shipments rated under the provisions of Items Nos. 690 and 700, when the distance from point of origin to point of destination, computed in accordance with the method provided in the Distance Table, does not exceed 50 constructive miles (See Note); and 2. Shipments rated under the provisions of Item No. 710. <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th> <th style="text-align: right; border-left: 1px solid black;"><u>Pounds</u></th> </tr> </thead> <tbody> <tr> <td>Lumber, seasoned, viz.: cedar, cottonwood, fir, hemlock, pine, redwood and spruce, per 1,000 feet board measure -----</td> <td style="text-align: right; border-left: 1px solid black;">2500</td> </tr> <tr> <td>Lumber, dry, machine finished, viz.: flooring, rustic, siding, ceiling, shiplap, per 1,000 feet board measure ---</td> <td style="text-align: right; border-left: 1px solid black;">2200</td> </tr> <tr> <td>Shakes, sawed or split, 2,500 will be considered the equivalent of 1,000 feet board measure -----</td> <td style="text-align: right; border-left: 1px solid black; vertical-align: bottom;">Apply the provided weight applicable to the type of lumber used.</td> </tr> <tr> <td>Shingles (cedar) dry, per 1,000 -----</td> <td style="text-align: right; border-left: 1px solid black;">150</td> </tr> <tr> <td>Shingles (cedar) green, per 1,000 -----</td> <td style="text-align: right; border-left: 1px solid black;">210</td> </tr> <tr> <td>Shingles (pine or redwood), 8,000 will be considered the equivalent of 1,000 feet board measure -----</td> <td style="text-align: right; border-left: 1px solid black; vertical-align: bottom;">Apply the provided weight applicable to the type of lumber used.</td> </tr> </tbody> </table> <p>NOTE: -- For other transportation, the provisions of Item No. 70 will apply.</p>			<u>Pounds</u>	Lumber, seasoned, viz.: cedar, cottonwood, fir, hemlock, pine, redwood and spruce, per 1,000 feet board measure -----	2500	Lumber, dry, machine finished, viz.: flooring, rustic, siding, ceiling, shiplap, per 1,000 feet board measure ---	2200	Shakes, sawed or split, 2,500 will be considered the equivalent of 1,000 feet board measure -----	Apply the provided weight applicable to the type of lumber used.	Shingles (cedar) dry, per 1,000 -----	150	Shingles (cedar) green, per 1,000 -----	210	Shingles (pine or redwood), 8,000 will be considered the equivalent of 1,000 feet board measure -----	Apply the provided weight applicable to the type of lumber used.
	<u>Pounds</u>															
Lumber, seasoned, viz.: cedar, cottonwood, fir, hemlock, pine, redwood and spruce, per 1,000 feet board measure -----	2500															
Lumber, dry, machine finished, viz.: flooring, rustic, siding, ceiling, shiplap, per 1,000 feet board measure ---	2200															
Shakes, sawed or split, 2,500 will be considered the equivalent of 1,000 feet board measure -----	Apply the provided weight applicable to the type of lumber used.															
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Shingles (cedar) green, per 1,000 -----	210															
Shingles (pine or redwood), 8,000 will be considered the equivalent of 1,000 feet board measure -----	Apply the provided weight applicable to the type of lumber used.															

(1) Items on this page transferred
from Eighth Revised Page 51-C.

Change, Decision No. **73943**

EFFECTIVE May 11, 1968

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

Correction No. 1928

- 51-BB -

Item No.	SECTION NO. 3	COMMODITY RATES (Continued)
*682	<p style="text-align: center;">*WEIGHMASTER'S CERTIFICATE</p> <p>(Applies in connection with rates making specific reference hereto.)</p> <p>(a) The actual gross weight of the shipment shall be confirmed by a public weighmaster's certificate, which shall be obtained by the carrier prior to or at the time of unloading (See Exception).</p> <p>(b) Charges shall be based on the weight of the commodities as confirmed by the public weighmaster's certificate. The original and duplicate copy of the public weighmaster's certificate shall be affixed to the shipper's and carrier's copy of the freight bill respectively (See Exception).</p> <p>EXCEPTION: Such certificate shall not be required when the distance from point of origin to point of destination, computed in accordance with the method provided in the Distance Table, does not exceed 50 constructive miles.</p>	
ø685		<p>(Applies in connection with rates making specific reference hereto.)</p> <p>(Numbers within parentheses immediately following commodities shown below refer to such commodities as they are described in the corresponding item numbers of the Governing Classification.)</p> <p>LUMBER AND FOREST PRODUCTS, treated or untreated, not finished beyond sanding and priming, viz.: (See Notes 1 and 2)</p> <p>LIST A:</p> <p>Cross Arms, wooden (160110) Lath, wooden (112760) Piling, wooden (112960) Poles, wooden, NOI (113060) Posts, NOI, wooden (113100) Shingles, wooden (113280 and 113300) Boxes or Crates, wooden, or wood and wire combined, NOI, KD or folded flat or in flat sections (29800, Sub 3) Box or Crate Material, wooden or wood and wire combined, folded flat or in flat sections (29800, Sub 3)</p> <p>LIST B:</p> <p>Boards or Sheets, sawdust or ground wood (112320) Plywood (113620 and 113630) Veneer (112870, 112880, 112890 and 113520)</p> <p>LIST C:</p> <p>Lumber (112870, 112880 and 112890) Ties, Railroad, wooden (113450) Timbers, wooden (112940)</p>

NOTE 1.-- With shipments of commodities listed above, there may be included, at the rates provided herein, in quantities not to exceed 10% of the weight of the entire shipment, articles listed under the headings: "Lumber Group" and "Building Woodwork Group" in the Governing Classification.

NOTE 2.--Length not to exceed 24 feet, except piling and poles which shall not exceed 50 feet in length.

∅ Change) Decision No. 73943
* Addition)

EFFECTIVE MAY 11, 1968

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

Correction No. 1929

Item No.	SECTION NO. 3		COMMODITY RATES (Continued) In Cents Per 100 Pounds					
	(Rates shown in this item will not apply to transportation between points for which rates are provided in Item No. 710.)							
LUMBER AND FOREST PRODUCTS, as described in and subject to the provisions of Item No. 685.								
MILES	RATES							
	But Not Over	Over	MINIMUM WEIGHT					
			LIST A		LIST B		LIST C	
			40,000 Pounds	(1)(2)(3) 50,000 Pounds	40,000 Pounds	(1)(2) 50,000 Pounds	40,000 Pounds	(1)(2) 50,000 Pounds
0	3	7½	6¼	7	6	6½	5¾	
3	5	8½	7¼	8½	7	8	6¾	
5	10	10½	8½	10	8	9½	7¾	
10	15	12	9½	11	9	10½	8¾	
15	20	13½	11	12½	10½	12	10	
20	25	15	12½	14	12	13½	11½	
25	30	16½	14	15½	13	15	12½	
30	35	18	15	16½	14	16	13½	
35	40	19	16	18	15	17½	14½	
40	45	20½	17	19½	16½	18½	15½	
45	50	22½	19	21	18	20	17	
50	60	23½	20	22½	19	21½	18	
60	70	25	21	23½	20	22½	19	
70	80	26½	22	25	21	24	20	
80	90	28	23½	26	22	25	21	
6690	90	29	24	27½	23	26½	22	
100	110	30	25½	29	24	28	23	
110	120	32	27	30	25½	29½	24½	
120	130	35	29	32	27	31	26	
130	140	37	31	34	28	32	27	
140	150	38	32	35	29½	34	28	
150	160	40	33	37	31	35	29½	
160	170	41	34	39	33	37	31	
170	180	42	35	41	34	38	32	
180	190	43	36	42	35	40	33	
190	200	44	37	44	36	41	34	
200	220	47	39	46	38	43	36	
220	240	49	41	48	40	45	38	
240	260	50	42	50	41	47	39	
260	280	53	44	52	43	49	41	
280	300	55	46	54	44	51	42	
300	325	57	48	56	46	53	44	
325	350	59	49	58	48	55	46	
350	375	61	51	60	50	57	47	
375	400	64	53	62	52	59	49	

400	425	67	55	64	53	60	50
425	450	70	57	66	55	62	52
450	475	72	59	67	56	64	53
475	500	74	61	69	57	65	54
500	525	77	63	71	59	67	56
525	550	78	65	73	60	69	57
550	575	80	66	74	62	71	59
575	600	82	68	77	64	73	61
600	650	85	71	80	68	77	64
650	700	91	76	86	72	82	68
700	750	96	80	91	76	86	71
750	800	102	85	96	80	91	76
800	-	(4)	(4)	(4)	(4)	(4)	(4)

- (1) The minimum weight applies to each unit of equipment in which the shipment is transported.
- (2) Subject to the provisions of Item No. 602.
- (3) Does not apply on Poles or Piling as described. Other provisions applicable.
- (4) Add to the rate for 800 miles, 4 cents per 100 pounds for each 50 miles or fraction thereof in excess of 800 miles.

◊ Change)
 ◊ Increase)
 ◊ Reduction)

Decision No. **73943**

EFFECTIVE MAY 11, 1968

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.
 Correction No. 1930

Cancels

Item No.	SECTION NO. 3		COMMODITY RATES (Continued) In Cents Per 100 Pounds			
	LUMBER AND FOREST PRODUCTS, as described in and subject to the provisions of Item No. 685.					
TERRITORIAL APPLICATION: Rates named in this item apply between points of origin and destination, all of which are located within 150 constructive miles of Metropolitan Zone 229 computed in accordance with the method provided in the Distance Table.						
	MILES		RATES			
	Over	But Not Over	MINIMUM WEIGHT			
20,000 Pounds			40,000 Pounds	(1) (2) (3) 48,000 Pounds		
6710	0	3	10	7½	7½	
	3	5	11½	9	8½	
	5	10	13	10	9½	
	10	15	15½	11½	11	
	15	20	18	13	12	
	20	25	20½	14	13	
	25	30	22½	15	14	
	30	35	25	16	15	
	35	40	28	17	16	
	40	45	30	18½	17	
	45	50	33	20	18	
	50	60	(4)	22½	20	
	60	70		25	22	
	70	80		28	24	
	80	90		30	26	
	90	100		31	27½	
	100	110		32	29	
	110	120		33	30½	
	120	130		35	32	
	130	140		36	33½	
	140	150		37	35	
	150	-		(5)	(5)	
(1) The minimum weight applies to each unit of equipment in which shipment is transported.						
(2) Subject to the provisions of Item No. 682.						
(3) Will not apply on Poles or Piling as described in Item No. 685.						
(4) Over 50 miles, 4th Class rates apply.						
(5) Over 150 miles, rates in this item do not apply. Apply rates in Item No. 690.						
♂ Change) Decision No. 73943 ♂ Reduction)						
EFFECTIVE MAY 11, 1968						
Issued by the Public Utilities Commission of the State of California, San Francisco, California.						
Correction No. 1931						