

ORIGINAL

Decision No. 74150

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. 498
(Filed April 24, 1968)

And Related Matters)

Cases Nos. 5435, 5439,
5441, 5603 and 7858
(Petitions for Modification
Nos. 103, 71, 141, 53
and 36 respectively)
(Filed April 24, 1968)

OPINION AND ORDER

By Petition for Modification No. 497 in Case No. 5432, et al., California Trucking Association proposes that National Motor Freight Classification A-9 be discontinued, and National Motor Freight Classification A-10 be adopted, as the governing classification for various Commission's minimum rate tariffs effective July 1, 1968.¹ Among other things, this proposal would change the classification provisions on furniture, which are involved in other proceedings before the Commission.²

¹ National Motor Freight Classifications A-9 and A-10, respectively, mean National Motor Freight Classifications A-9 (CAL) and A-10 (CAL) as governed by National Motor Freight Classifications A-9 and A-10 hereinafter referred to as Governing Classifications A-9 and A-10.

² By Decision No. 73407 dated November 28, 1967, in Application No. 49778 and Case No. 5432 (Petition for Modification No. 480) et al., the Commission denied the proposal of National Motor Freight Traffic Association, Inc., Agent, and California Trucking Association to change the classification ratings on those commodities listed under the Furniture Group in Governing Classification A-9 to permit hearing thereon pursuant to protest of Furniture Manufacturers Association of California.

In a related matter now submitted for Commission decision involving the general changeover to the basic classification, Furniture Manufacturers Association of California proposed the adoption of the aforementioned changes in the classification provisions on furniture and the establishment of exception ratings on furniture, which would maintain substantial status quo in connection with the current applicable ratings on such commodities.³

In view of the time lapse that will occur between the proposed effective date of July 1, 1968, for the adoption of Governing Classification A-10 to current circumstance and determination of the general classification changeover matter, California Trucking Association and Furniture Manufacturers Association of California, by the petitions in the instant proceedings, seek to preserve the status quo in connection with the present classification ratings on furniture during this period.

Petitioners propose (1) to have Exception Ratings Tariff No. 1 amended by establishing therein to expire with September 1, 1968, less truckload exception ratings for the transportation of furniture, which are the same as the current ratings on furniture in Governing Classification A-9 on California intrastate traffic; (2) to make the Commission's class-rated tariffs subject to the aforementioned exception ratings;⁴ and (3) to amend the Column A and B rate scales in Minimum Rate Tariff No. 11-A to apply to

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Case No. 5432 (Order Setting Hearing of 8-31-65) et al., - Classification Changeover Proceeding, redesignate the present classification and exception ratings in Commission minimum rate tariffs in terms of the Governing Classification.

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The tariffs are Minimum Rate Tariffs Nos. 1-B (East Bay Drayage), 2 (General Commodities Statewide), 5 (Los Angeles Drayage) and 9-B (San Diego Drayage) and City Carriers' Tariff No. 1-A (San Francisco Drayage).

articles which have a less truckload rating of "175 or higher" and "less than 175" in lieu of a less truckload rating of "150 or higher" and "less than 150," respectively. Petitioners also ask that common carriers be authorized 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.

Petitioners state that complete utilization of the new modern classification descriptions and full comparability and consistency of tariff provisions require that the new classification descriptions for furniture be made applicable to all Commission class-rated tariffs and that all such tariffs be made subject to the same exception rating provisions. Petitioners aver that the proposed changes in Minimum Rate Tariff No. 11-A will provide for updated classification provisions with minimum impact upon the charges currently assessed for the transportation of furniture.

Petitioners allege that their proposal will prevent major complexities, which would result because of the timing involved in the disposition of the Classification Changeover Proceeding and the proposed discontinuance of Governing Classification A-9 and the adoption of Governing Classification A-10. Petitioners assert that the proposed tariff revisions are responsive to the needs of the shippers and carriers and are desired by such parties.

Copies of the petitions were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about April 24, 1968. The petitions were listed on the Commission's Daily Calendar of April 25, 1968. No objection to the granting of the petitions has been received. ✓

In the circumstances, it appears and the Commission finds, that petitioners' proposal is reasonable and that the resulting minimum rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation of furniture. A public hearing is not necessary. The Commission concludes that the petitions should be granted.

Decision No. 74142, in Case No. 5432 (Petition for Modification No. 497) et al., issued on this date concerns the adoption of Governing Classification A-10 as the governing classification for the Commission's minimum rate tariffs. In order to avoid dual adjustments to minimum rate tariffs involved, the tariff amendments required to be made by the order herein will be included in said decision and the separate orders related thereto.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 1-B (Appendix B of Decision No. 65834, as amended), Minimum Rate Tariff No. 5 (Appendix "A" of Decision No. 32504, as amended), Minimum Rate Tariff No. 9-B (Appendix "A" of Decision No. 67766, as amended), Minimum Rate Tariff No. 11-A (Appendix A of Decision No. 50114, as amended), City Carriers' Tariff No. 1-A (Appendix A of Decision No. 41363, as amended) and Exception Ratings Tariff No. 1 (Appendix A of Decision No. 66195, as amended) are hereby further amended by incorporating therein, to become effective July 1, 1968, the revised pages as listed in Appendix A hereof, said pages being attached to Decisions Nos. 74143, 74144, 74146, 74147, 74148 and 74149 and by this reference also 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 July 1, 1968, on not less than five days' notice to the

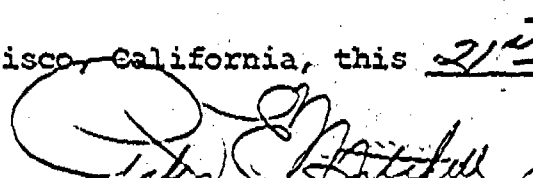
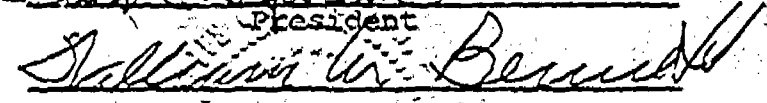
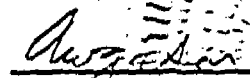

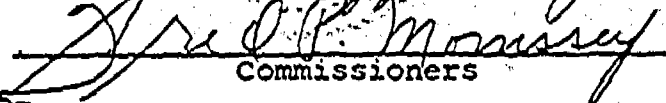
Commission and to the public and such tariff publications shall be made effective not later than August 30, 1968; and tariff publications which are authorized but not required to be made by common carriers as a result of the order herein may be made effective not earlier than July 1, 1968, and may be made effective on not less than five 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 amended by 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 rate 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 said Decisions Nos. 65834, 32504, 67766, 50114, 41363 and 66195, as amended, shall remain in full force and effect.

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 21st day of May, 1968.


President




Commissioners

APPENDIX A TO DECISION NO. 74150

List of Revised Pages to Minimum Rate Tariff No. 1-B
Authorized by Said Decision

Eighth Revised Page 11
Fifteenth Revised Page 19

List of Revised Pages to Minimum Rate Tariff No. 5
Authorized by Said Decision

Twenty-second Revised Page 7
Fifth Revised Page 14
Tenth Revised Page 21

List of Revised Pages to Minimum Rate Tariff No. 9-B
Authorized by Said Decision

Sixth Revised Page 7
Third Revised Page 18

List of Revised Pages to Minimum Rate Tariff No. 11-A
Authorized by Said Decision

Third Revised Page 2
First Revised Page 8-A
Fifteenth Revised Page 15
Third Revised Page 15-A
Thirteenth Revised Page 16

List of Revised Pages to City Carriers' Tariff No. 1-A
Authorized by Said Decision

Fifteenth Revised Page 12
Twenty-fifth Revised Page 16

C. 5432 (Pet. 498), et al. - eg

List of Revised Page to Exception Ratings Tariff No. 1
Authorized by Said Decision

Second Revised Page 2
Thirteenth Revised Page 3
First Revised Page 4
Fifth Revised Page 6
First Revised Page 7
Original Page 27-A
Original Page 27-B
Original Page 27-C

(END OF APPENDIX A LIST)