

Decision No. 74386

ORIGINAL

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. 507)
(Filed May 31, 1968)

OPINION AND ORDER

Minimum Rate Tariff No. 2 names minimum rates and rules for the statewide transportation of general commodities by highway carriers and provides, among other things, that the return transportation of empty pallets may be performed without charge under specified conditions for distances not exceeding 35 miles. By this petition, California Trucking Association seeks to have the above tariff amended to permit the aforementioned return transportation of empty pallets without charge for distances not exceeding 75 miles. Petitioner asks that all common carriers be authorized to establish in their respective tariffs all 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 states that the current provisions in Minimum Rate Tariff No. 2 pertaining to the transportation of palletized shipments have encouraged wider utilization of shipper pallets and increased mechanical loading of shipments

transported thereon. Petitioner avers that the present provisions concerning the return transportation of empty pallets without charge have stimulated cooperation in palletization of truck shipments thereby promoting efficiencies and economies in carrier operations. Petitioner alleges that many shippers are precluded from utilizing the free pallet-return provisions of the tariff because of the present 35-mile limitation imposed thereon. Petitioner asserts that the economies of short-haul transportation would permit an extension of this limitation and extend the incentive for shipper cooperation and carrier economies in operations.

Copies of the petition were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about May 31, 1968. The petition was listed on the Commission's Daily Calendar of June 3, 1968. 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. 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 August 17, 1968, Fourth Revised Page 15-B attached hereto and by this reference made a part hereof.

2. Tariff publications authorized 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, 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 page incorporated in this order.

3. Common carriers, in establishing and maintaining the amendments 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 amendments 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.

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

Dated at San Francisco, California, this 9th day of July, 1968.

William J. Agnew Jr.
President
John E. McArthur
William L. Bennett
Secretary
Lee R. Morrissey
Commissioners

Item No.	SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
(E) ø45	<p style="text-align: center;">EMPTY PALLET RETURN</p>
	<p>(Applies only in connection with Items Nos. 316, 320, 320-1, 338, 345, 350, 360 and 390 and commodities named in paragraph c)</p>
	<p>ø(a) When palletized shipments are transported under truckload rates and are subject to minimum weights of not less than 20,000 pounds, empty pallets may be transported without charge for distances not exceeding 675 constructive miles when returning to the point of origin of an outbound palletized shipment or when transported for a return palletized shipment, subject to the terms and conditions in Notes 1, 2, 3 and 4.</p>
	<p>NOTE 1.--Palletized shipments must be loaded into carrier's equipment by the consignor and/or unloaded by the consignee with power equipment, as described in Item No. 11, furnished and used without expense to the carrier and when no services are performed by the carrier or at carrier's expense.</p>
	<p>NOTE 2.--Shipper must indicate on shipping instructions that palletized shipments were loaded directly onto trailers by power-loading equipment operated by personnel furnished by shipper; and/or receivers must show on carrier's delivery receipt that such shipments were removed by power-loading equipment operated by personnel furnished by receiver.</p>
	<p>NOTE 3.--Shipping Documents (Bills of Lading) covering the shipment of empty returning pallets shall identify the palletized shipments. Shipping Documents (Bills of Lading) covering returning palletized loads shall identify the shipments of empty pallets.</p>
	<p>NOTE 4.--For the purpose of this item, empty pallets shall include pallets, platforms, or skids as described in Item 150370, Sub 1; Item 150380; Item 150390, Sub 2; or Item 150430, Sub 2, of the Governing Classification; six inches or less in height or nested solid (as defined in Rule 110 of the Governing Classification), and of wood, metal or wood and metal construction.</p>
	<p>ø(b) Carrier must assess applicable tariff charges on empty pallets under the conditions stated in Notes 5, 6, 7 and 8.</p>
	<p>NOTE 5.--If immediately upon receipt of a palletized shipment consignee fails to provide carrier with up to a like number of empty pallets for return to point of origin of the palletized shipment.</p>

NOTE 6.--When empty pallets are furnished by consignee and forwarded to origin point of a palletized shipment, if consignor immediately on receipt of empty pallets fails to provide carrier with a palletized shipment containing up to a like number of pallets loaded for shipment to consignee at point of origin of the empty pallets.

NOTE 7.--For the transportation of all empty pallets in excess of those permitted by the provisions of Notes 5 and 6.

NOTE 8.--For the transportation of all empty pallets which do not comply with the provisions of this item.

(c) When palletized shipments of Sodium Hypochlorite Solution (as described in Item 46380 of the Governing Classification) are transported at truckload rates provided in Section 2, and are subject to minimum weights of not less than 20,000 pounds, the empty pallets may be transported under the provisions of paragraph (a) and (b).

(E) This item expires with December 31, 1969.

ø Change)
ø Reduction) Decision No. 74386

EFFECTIVE AUGUST 17, 1968

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 2012