

ORIGINAL

Decision No. 74405

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. 500
(Filed May 10, 1968)

OPINION AND ORDER

Minimum Rate Tariff No. 2 names minimum rates and rules for the statewide transportation of general commodities by highway carriers. By this petition, California Trucking Association seeks to have the above tariff amended by including tapioca flour in the commodity descriptions set forth therein for certain grain products and related articles. Petitioner asks that common carriers be directed to establish in their respective tariffs such modifications as may be prescribed in 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 various inedible flours can be used as adhesives in gluing paperboard and other products and that, although tapioca flour is generally used in such adhesive applications, it is not included in the commodity descriptions involved as are the other competing inedible flours. Petitioner alleges that milo maize flour and tapioca flour have similar transportation characteristics but that milo maize flour is listed

in the commodity descriptions in question and moves under commodity rates that are lower than the class rates, which apply to the transportation of tapioca flour. Petitioner avers that the proposed tariff amendment will allow a continuation of present buying practices and will assure the carriers that they will be able to participate in the movement of tapioca flour.

Copies of the petition were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about May 9, 1968. The petition was listed on the Commission's Daily Calendar of May 13, 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, that the resulting minimum rates will be just, reasonable and nondiscriminatory minimum rates for the transportation of tapioca flour. 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 24, 1968, Eleventh Revised Page 50 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 16th day of July, 1968.

William Synnott Jr.
President
William L. Bennett
David P. Monsey
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Item No.	SECTION NO. 3	COMMODITY RATES (Continued)
	(Applies in connection with rates making specific reference hereto.)	
	GRAIN, RICE, SEEDS, GRAIN PRODUCTS AND RELATED ARTICLES; viz.:	
	<u>LIST NO. 7:</u>	
	Flour, viz.: Bean, Potato, Rice, *Tapioca, Flour, prepared, edible, manufactured from one or more articles shown in List No. 1 of Item No. 652, or Rice Flour, Bean Flour or Potato Flour, with not to exceed 40% of other ingredients, (including powdered yeast not in excess of 5% in an inner con- tainer),	
	Split Peas, Whole Peas, Lentils, Tapioca, Sago, Macaroni, Noodles, Spaghetti, Vermicelli.	Provided weight does not exceed 15% of total weight of shipment.
	Not fully cooked nor ready for human consumption.	
	<u>LIST NO. 8:</u>	
	Any article named in this list when included in a mixed shipment with any article named in Lists Nos. 1 through 6 of Items Nos. 652- 652 ³ shall take the rates applicable to the articles they accompany, subject to the percentage restriction on the weights thereof as pro- vided below:	
653	Charcoal, crushed or ground,	Not to exceed 33-1/3% of the total weight of the shipment.
	Fish Oil, Molasses, viz.: Blackstrap, Beet Sugar Final, Corn Sugar Final (Hydrol),	Not to exceed 10% of the total weight of the ship- ment.
	Poultry Litter, viz.: Peat Moss, in packages, Pine Shavings, in packages, ground, Redwood Bark, in packages, Sugar Cane Pith, in packages,	Not to exceed 20% of the total weight of the ship- ment.
	Shells, crushed, Shells, oyster, clam or mussel, whole or broken.	Not to exceed 33-1/3% of the total weight of the shipment.
	<u>LIST NO. 9:</u>	
	Beans, castor,	
	(1) Seeds, as described under that heading in the Governing Classification, in packages (except bins or except containers with a capacity exceeding 40 cubic feet).	
	(1) Unless otherwise exempt under the provisions of Items Nos. 40 through 42.	

LIST NO. 10:

Rice, viz.:

Brewers,

Cleaned, whole or broken (including
rice screenings),

Paddy (rough).

o Change
* Addition

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EFFECTIVE AUGUST 24, 1968

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

Correction No. 2013