

ORIGINAL

Decision No. 74585

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 relat-)
ing to the transportation of)
property in Los Angeles and Orange)
Counties (transportation for)
which rates are provided in Mini-)
mum Rate Tariff No. 5).)

Case No. 5435
(Petition for Modification
No. 107)
(Filed June 26, 1968)

SUPPLEMENTAL INTERIM OPINION AND ORDER

By Decisions Nos. 74449 and 74453, dated July 23, 1968, in this proceeding, the Commission found that the class rates, exception ratings and rules in Minimum Rate Tariff No. 5 should be redesignated, effective September 1, 1968, to conform with the truck-oriented ratings and rules in National Motor Freight Classification A-10 and that such classification should supersede National Motor Freight Classification A-10(CAL), which sets forth therein rail-oriented ratings and rules.

It has come to the Commission's attention that the tariff pages attached to Decision No. 74453 do not fully reflect¹ the authority granted by Decisions Nos. 74449 and 74453.

¹ The unloading and/or segregating rate of 26½ cents per 100 pounds in Item No. 165 of Minimum Rate Tariff No. 5 is designated as a "Class 60" rate when it should be designated as a "Class 50" rate. Item No. 216 of the tariff was not canceled as intended. Reference in Item No. 293 of the tariff to Items 29930 and 41200 of the Governing Classification should have been to Items Nos. 29330 and 41210. The abbreviation "NOI" was incorrectly referred to as "NOT" on Fifth Revised Page 5-A of the tariff. The aforementioned references in Item No. 293 and Fifth Revised Page 5-A were correctly stated in the printed tariff pages.

In the circumstances, it appears, and the Commission finds, that the necessary corrections should be made by the order herein. A public hearing is not necessary. The Commission concludes that Minimum Rate Tariff No. 5 should be amended accordingly.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 5 (Appendix A of Decision No. 32504, as amended) is hereby further amended by incorporating therein, to become effective September 1, 1968, Twenty-fourth Revised Page 20 and Eighteenth Revised Page 22 attached hereto and by this reference made a part hereof.

2. Decision No. 74453, dated July 23, 1968, in this proceeding, is hereby amended by substituting in place and stead of the abbreviation "NOT" on First Revised Page 5-A incorporated in Minimum Rate Tariff No. 5 the abbreviation "NOI" and by substituting in place and stead of the reference to Items Nos. 29930 and 41200 of the Governing Classification on Second Revised Page 22-A incorporated in said tariff reference to Items Nos. 29330 and 41210 of the Governing Classification.

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 shall be made effective not earlier than the second day after the effective date of this order on not less than two days' notice to the Commission and to the public and such tariff publications shall be made effective not later than September 1, 1968; and tariff publications which are authorized but not 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 second day after the effective date of this order on not less than two 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.

4. Common carriers, in establishing and maintaining the provisions 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 provisions published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

5. In all other respects Decisions Nos. 32504, as amended, and 74453 shall remain in full force and effect.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 22th day of August, 1968.

William Lyman G.
President
E. E. Gutter
William M. Burdick
Augata
Commissioners

Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.

Cancels

and

Item
No.SECTION NO. 1 - RULES AND REGULATION OF
GENERAL APPLICATION (Continued)

POOL CARS

- (a) For the service of unloading, segregating, or unloading and segregating property tendered to the carrier in pool cars, the following charges shall be made in addition to transportation charges:

Δ(1) Merchandise classified as

| Class: | Δ100 | *22½ | Δ85 | *77½ | Δ70 | *65 | *60 | Δ55 | Δ50 | *50.1 | |
|--------------------------------------|------|------|-----|------|-----|-----|-----|-----|-----|-------|--|
| Rates in Cents per 100 Pounds: | 46 | 44 | 37 | 35 | 28½ | 28 | 27½ | 27½ | 26½ | 25 | |

- (1) Subject to minimum charge of \$1.20 for each point of destination involved.

- (b) The term "Pool Car" as used in this item means a rail car or motor vehicle (other than carrier's equipment) containing property intended for delivery to two or more points of destination located within the zones described in Items Nos. 30 to and including 33.

- Δ(c) Classification ratings shall be based upon the LTL (less-truckload) ratings in the Governing Classification, *Sections Nos. 2-A or 2-C of the Exception Ratings Tariff, or this tariff.

- Δ165 Δ(d) Articles taking a rating higher than Class 100 shall be computed upon the percentage of the Class 100 rating, as set forth in the Governing Classification, *Exception Ratings Tariff, or this tariff.

- (e) When rail pool cars are unloaded and segregated at and deliveries made from carrier's established depot, said depot will be considered as being located with Zone 1-A for the purpose of assessing transportation charges under this tariff, and transportation rates shall be applied from Zone 1-A as point of origin.

- (f) Rates named in this item alternate with rates for the same services contained in tariffs filed with the Commission, pursuant to the provisions of the Public Utilities Act, and in effect on the date the services are provided.

- (g) The provisions of this item do not apply on iron or steel articles, hereinafter listed, in open top rail cars when unloading is provided with crane facilities furnished by or at the expense of the rail carrier. Provided, however, when more than one man is furnished by carrier for the unloading, help in addition to one man shall be charged for at the rates provided in Item No. 110.

Iron or Steel Articles, viz.:

| | | |
|-------------|---------|-----------|
| Angles | Columns | Shoes |
| Bars | Girders | Tees |
| Bases, post | Piling | Tin Plate |
| Beams | Plates | Trusses |
| Billets | Rods | Zees |
| Channels | Sheets | |

DELAYED DELIVERY OF SHIPMENTS

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(a) Where carrier cannot effect delivery upon arrival of shipment at point of destination, a free storage period of 48 hours from the first 7:00 A.M. thereafter may be allowed. After said free storage period, storage charges shall be assessed at not less than $1\frac{1}{2}$ cents per 100 pounds per day for each of the first five days at at not less than 3 cents per 100 pounds per day for the sixth and each succeeding day until such time as instructions regarding disposition of the shipment are received by the carrier. In computing time, Sundays and legal holidays shall be excluded.

(b) Subsequent delivery of the property from point of storage shall constitute a new shipment.

DISPOSITION OF FRACTIONS

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In computing a rate based on a percentage of another rate, the following rule shall be observed in the disposition of fractions:

Fractions of less than $\frac{1}{2}$ or .50 of a cent, omit.
Fractions of $\frac{1}{2}$ or .50 of a cent or greater,
increase to next whole figure.

ϕ Change
 * Addition
 Δ Change, neither increase
 nor reduction

Decision No.

74585

EFFECTIVE SEPTEMBER 1, 1968

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 572

Eighteenth Revised Page 22

 Cancels

Seventeenth Revised Page 22

 and

Sixteenth Revised Page 22

MINIMUM RATE TARIFF NO. 5

| Item No. | SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION (Continued) | |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| | EXCEPTIONS TO GOVERNING CLASSIFICATION *AND EXCEPTION RATINGS TARIFF (All item references are to the GC except as otherwise provided) | Class Rating |
| Δ212 | Aluminum Ware, viz.: Kitchen or cooking utensils, not nested, as described in Items 13120, 100740, 100790, 101040, 101240, 101300 or 101360. (Subject to Note 1 of Item No. 290 of this tariff) | 150 |
| Δ214 | Ballasts, fluorescent lamp, as described in Item 60630 Less truckload ----- | 70 |
| Δ214.5 | Batteries, dry cell, electric, as described in Item 60680 Less truckload ----- | 55 |
| Δ215 | Bicycles, set up or knocked down, as described in Items 188590 or 188610. (Subject to Note 1 of Item No. 290 of this tariff) | 125 |
| Δ215.5 | Boxes, bottles or cans, fibreboard, paper or pulpboard, NOI, as described in Items 28920 or 29285, with or without tops or bottoms made of the same or other materials, SU, not nested, in packages, or on platforms or skids: Outside measurements exceeding one inch in depth and exceeding 15 united inches, length, width and depth added. Less truckload ----- Outside measurements exceeding one inch in depth but not exceeding 15 united inches, depth, length and width added. Less truckload ----- | 150 100 |

