

**ORIGINAL**

Decision No. 75197

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Investigation into the )  
rates, rules, regulations, charges, )  
allowances and practices of all common )  
carriers and highway 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

SUPPLEMENTAL OPINION AND ORDER  
AND ORDER SETTING HEARING

The transportation of Wood Chips and Wood Shavings in bulk for certain commercial purposes and Sawmill Refuse for use as fuel was exempted from the provisions of the Commission's Minimum Rate Tariff No. 2 by Decisions Nos. 61338, 68542 and 73630, respectively. These exemptions are tentative and provisional and are all due to expire on March 4, 1969.

In its orders which exempted the transportation of Wood Chips and Wood Shavings from the purview of the tariff, the Commission assigned its Transportation Division staff to make cost and rate studies which will make available evidence necessary to the determination and establishment of minimum rates at reasonable levels for this transportation. Similarly, with the establishment of the exemption for Sawmill Refuse, the Commission took cognizance of the staff's intention to conduct studies of this traffic.

As indicated by Decision No. 61338, the transportation of Wood Chips involves comprehensive distribution patterns which have been expanded by technological innovation to encompass broad geographical areas. Additionally, the active competitive demand for this commodity has intensified the complexities affecting marketing practices.

In consideration of the scope of the assigned studies, the staff has requested that the current expiration date established for the foregoing tariff exemptions be extended for a period of six months.

The Transportation Division staff has conducted cost and rate economic studies of the transportation of Wood Shavings and Sawmill Refuse and has prepared reports which set forth the results of its studies and its recommendations. Studies of the transportation of Wood Chips will continue and be presented to the Commission upon their completion. The staff has requested that hearings be held for the receipt of evidence relative to the establishment of minimum rates and rules for the transportation of Wood Shavings and Sawmill Refuse and that the matter of Wood Chips be deferred until its studies are completed.

The procedure suggested by the staff appears to be a satisfactory means of providing the Commission and interested parties with information reflecting current conditions and will be adopted.

Good cause appearing:

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix "D" of Decision No. 31606, as amended) is hereby further amended by incorporating therein, to become effective March 4, 1969, Eighth Revised Page 15-A attached hereto and by this reference made a part hereof.

2. 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 tenth day after the effective date of this order on not less than ten days' notice to the Commission and to the public and such tariff publications shall be made effective not later than March 4, 1969; 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 page incorporated in this order.

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

5. A hearing in this proceeding on the matters referred to above be held before such Commissioner or Examiner as may be designated at a time and place to be determined.

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

Dated at San Francisco, California, this 14<sup>th</sup> day of January, 1969.

William Lyndon D.  
 President

Augustin

Fred P. Morrissey

Commissioners

Commissioner J. P. VUKASIN, JR.

Present but not participating.

Commissioner THOMAS MORAN

Present but not participating.

Item No.	SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
APPLICATION OF TARIFF-COMMODITIES (Concluded) (Items Nos. 40, 41 and 42)		
	<p>Shipments weighing 10 pounds or less when transported by carriers which operate no vehicles exceeding a licensed weight of 4,000 pounds (Subject to Note 12),</p> <p>Sulphur,</p> <p>Trailer coaches and campers set up, (including contents and furniture and other personal effects for use outside of trailer coaches) for which rates are provided in Minimum Rate Tariff 18,</p> <p>United States mail transported for the Post Office Department under contract,</p> <p>Used Property, viz.: household goods, personal effects, furniture, musical instruments, radios, and office and store fixtures and equipment, as described in and for which rates are provided in Minimum Rate Tariff No. 4-B, and used property as described therein of state, county or municipal governments, or transported under an agreement whereby the governments contracted for the carrier's services,</p> <p>Vegetables, fresh or green, including mushrooms, fresh (not cold pack or frozen),</p>	<p>Vegetables, which are placed in a preservative and are destined to a cannery for processing into a preserved or pickled vegetable,</p> <p>Vegetables, dried, viz.: Beans (except Mesquite), Lentils, Onions, Peas (except Cow Peas), Pepper Pods,</p> <p>Voting Booths, Ballot Boxes, Election Tents and Election Supplies, when transported from or to polling places.</p>
442	<p>NOTE 1.-- Includes only used empty carriers which are returning from an outbound paying load of traffic for which rates are not provided in this tariff, or which are being forwarded for a return paying load of traffic for which rates are not provided in this tariff (Subject to Item No. 80 of the Exception Ratings Tariff).</p> <p>NOTE 2.-- Exemption applies only when commodities flagged subject to this note are shipped in milk shipping cans, in bottles in cases or crates, or in bulk in tanks.</p> <p>NOTE 3.-- Exemption applies only when the distance between point of origin and destination does not exceed 35 miles, computed in accordance with the provisions of Item No. 100.</p> <p>NOTE 4.-- Exemption applies only as to dried fruit in the natural state and which has not been cleaned, washed, stemmed or otherwise prepared or partially prepared for human consumption.</p>	

NOTE 5.--Exemption applies only when shipper certifies on the shipping document covering the transportation that the shells are being shipped for use as a fertilizer.

NOTE 11.--Exemption applies only to transportation between points within a radius of 25 miles of the intersection of 1st and Main Streets, Los Angeles, said mileage to be computed in accordance with the provisions of Item No. 100.

NOTE 12.--Exemption applies only to transportation between points located within the Los Angeles Basin Territory as described in Item No. 270.

NOTE 13.--Exemption expires with September 4, 1969.

NOTE 14.--Exemption applies only to shavings to be utilized in the production of particleboard, flakeboard, hardboard, pulpboard or woodpulp.

NOTE 15.--The portion of this exemption preceded by # expires with June 29, 1969.

Change, Decision No. **75197**

EFFECTIVE MARCH 4, 1969

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

Correction No. 2061