

**ORIGINAL**

Decision No. 75719

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  
 Order Setting Hearing  
 (Decision No. 73587)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 75718, entered today on Petition No. 45, Case No. 5440, and on Order Setting Hearing - Decision No. 73587, Case No. 5432, the Commission found and concluded that commodity rates for the transportation of pozzolan by highway common carriers, radial highway common carriers and highway contract carriers should be established and published in Minimum Rate Tariff No. 10. It also found and concluded that the minimum rates which have heretofore been established in Minimum Rate Tariff No. 2 by Decision No. 73585 in Case No. 5432 for the transportation of pozzolan should be canceled on the date that the aforesaid rates to be published in Minimum Rate Tariff No. 10 become effective. Said findings and conclusions, and the findings and conclusions related thereto are hereby incorporated herein by this reference. The Commission further finds that to the extent that the provisions of Minimum Rate Tariff No. 2 have been found heretofore to constitute unreasonable minimum rates and rules for common carriers as defined

in the Public Utilities Act, said provisions, as hereinafter adjusted, are, and will be, reasonable minimum rate provisions for said common carriers.

Based on the record which was developed in connection with the aforesaid Petition No. 45, Case No. 5440, the Commission also finds and concludes that the commodity rates which are established in Minimum Rate Tariff No. 10 should not alternate with the class rates in Minimum Rate Tariff No. 2.

Therefore, 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 October 14, 1969, the revised pages attached hereto and made a part hereof by this reference, said pages being more specifically identified as:

Forty-third Revised Page 8  
Fifty-fourth Revised Page 15  
Tenth Revised Page 15-A  
First Revised Page 51-HH

2. Tariff publications required to be made by common carriers as a result of the order herein shall be filed not earlier than October 3, 1969, and shall be made effective October 14, 1969, on not less than ten days' notice to the Commission and to the public.

3. Common carriers, in establishing and maintaining the tariff 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 tariff provisions 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 days after the date hereof.

Dated at Los Angeles, California, this 27<sup>th</sup> day of MAY, 1969.

William Synovis, Jr.  
President

J. P. [Signature]

[Signature]  
Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.

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

## INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity rate items or in Exceptions to the Governing Classification and Exception Ratings Tariff are shown in the following list.

COMMODITY	Item Number	COMMODITY	Item Number
Paint, asphaltic (M)	377.5,723-726	Polish, vehicle (M)	377.5,723-726
Paint, liquid (M)	377.5,723-726	Pomace	652-654½
Parts, Boiler (M)	365	Popcorn, not popped	360
Paste, Confectionery	360	Popped Corn (M)	360
Paste, Icing	360	Porter	310,360
Paste, Tomato	320-1	Posts	690,710
Peaches, powdered	350	Potatoes, cooked and powdered, other than frozen	360
Peanut Butter	320-1	Potatoes, processed, cooked and powdered	320-1
Peanut Spread	320-1	Potato Chips (M)	360
Pectin, Fruit or Vegetable	320-1	Pot Scourers (M)	360
Peel, fruit, candied crystallized, glazed or stuffed	360	Poultry and poultry parts	379
Peel, grapefruit, lemon or orange, dried	350	Poultry Litter (M)	652-654½
Peroxide, Hydrogen, Solutions of	385	Powder, Baking	360
Petroleum and Petroleum Products as described in Governing Classification	377.5,723-726	Powders, Citrus Fruit Juice	360
Pickles	320-1	Powder, Yeast	360
Pie Mix, Pizza	345	Power Pumps (M)	365
Pie Preparations	320-1	**	**
Pies, not baked, frozen	377.6	Preservatives, wood (M)	377.5,723-726
Piling	690,710	Preserves	320
Pimentos	320-1	Prunes, powdered	350
Pipe, cast iron pressure	378	Puddings	320-1
Pipe, cast iron soil	378	Pulp, Fruit or Vegetable	320,320-1
Pipe, iron or steel, cast or wrought, plate or sheet	365	Pumps, Power (M)	365
Pipe, iron or steel, well casing or drilling	365	Puree, Tomato	320-1
Pizza Pie Mix	345	Ravioli (prepared)	320-1
Plywood	690,710	Refuse, Tomato, wet	379.5
Poles	690,710	Repellents, insect (M)	377.5,723-726
Polish, boat, floor, furniture or vehicle	730-732	Residue, Sawmill (M)	382
Polish, floor (M)	377.5,723-726	Rice-and-Milk	320-1
Polish, furniture (M)	377.5,723-726	Rice, Brewers'	652-654½
Polish, metal (M)	377.5,723-726	Rice, Cleaned	652-654½
		Rice, dry, and other ingredients	345,360
		Rice, Paddy	652-654½
		Rods, Pull (M)	365
		Rods, Sucker	365
		Rope (M)	365
		Running Gears, Steam boiler (M)	365
		Sago	360

(M) Denotes articles on which application of rates is limited to mixed shipments.

\*\* "Pozzolana" eliminated, Decision No.

75719

EFFECTIVE

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 2132

Item No.	SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)		
<p>41</p>	<p style="text-align: center;">APPLICATION OF TARIFF COMMODITIES (Continued) (Items Nos. 40, 41 and 42)</p> <p>Rates in this tariff apply for the transportation of all commodities except as follows:</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> <p>Hops,</p> <p>Houses which have been disengaged from their foundations, or sections thereof and integral parts or contents when the contents are transported within the houses,</p> <p>Hulls, almond, including shells and other waste from the hulling and shelling of almonds, not processed for use as animal or poultry feed,</p> <p>Ice Cream Mix, unflavored,</p> <p>Insecticides, agricultural,</p> <p>Jewelry transported from or to wholesale houses in packages weighing 10 pounds or less,</p> <p>Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles. #The terms "tank trucks, tank trailers and tank semi-trailers" include any truck, trailer or semi-trailer with carrier or shipper provided collapsible tanks or bags 20 feet or more in length 2,000 gallons or more in capacity and 20,000 pounds or more weight carrying capacity (Subject to Note 15),</p> <p>Livestock,</p> <p>Logs (wood),</p> <p>Milk, liquid (Subject to Note 2),</p> <p>Mushrooms, fresh (not cold pack nor frozen),</p> <p>Newspapers, newspaper supplements, sections or inserts (not scrap or waste),</p> <p>Nuts, in the shell,</p> <p>Nuts, field shelled (rough shelled, with or without removal of broken shells, dirt, residue, or foreign material, and not cleaned nor further processed),</p> <p>Optical goods transported from or to wholesale houses in packages weighing 10 pounds or less,</p> </td> <td style="vertical-align: top; width: 50%;"> <p>Property shipped to or from producers of motion pictures or television shows when transported subject to the rates, rules and regulations provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended,</p> <p>Property transported to a United States Post Office for mailing and United States mail transported from a post office to the addresses thereof (Subject to Note 11),</p> <p>Property which is exempt from regulation by the Interstate Commerce Commission under Sections 203(b)(6) and 203(b)(8) of the Interstate Commerce Act.</p> <p>Sawmill Refuse (hog fuel) composed of sawdust, shavings, bark, veneer, clippings, wood chunks or slabs, and other waste woods, not further processed, and not otherwise usable commercially except as fuel (Subject to Note 13),</p> <p>Sea shells, crushed, ground, powdered or disintegrated (Subject to Note 5),</p> <p>Seeds, as described under that heading in the Governing Classification, when shipped from point of growth to an accumulation station or point of initial processing, or from an accumulation station to point of initial processing; in bulk, or in containers with a capacity exceeding 40 cubic feet, or in packages weighing 50 pounds or more,</p> <p>Shavings, wood, in bulk, or sawdust, wood, in bulk (subject to Notes 13 and 14).</p> <p>Shell Marl, crushed, ground, or powdered</p> <p>Shells, walnut,</p> <p>Shipments weighing 100 pounds or less when delivered from retail stores or retail warehouses where the property has been sold at retail by a retail merchant, or when returned to the original retail store shipper via the carrier which handled the outbound movement (Subject to Note 3),</p> </td> </tr> </table>	<p>Hops,</p> <p>Houses which have been disengaged from their foundations, or sections thereof and integral parts or contents when the contents are transported within the houses,</p> <p>Hulls, almond, including shells and other waste from the hulling and shelling of almonds, not processed for use as animal or poultry feed,</p> <p>Ice Cream Mix, unflavored,</p> <p>Insecticides, agricultural,</p> <p>Jewelry transported from or to wholesale houses in packages weighing 10 pounds or less,</p> <p>Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles. #The terms "tank trucks, tank trailers and tank semi-trailers" include any truck, trailer or semi-trailer with carrier or shipper provided collapsible tanks or bags 20 feet or more in length 2,000 gallons or more in capacity and 20,000 pounds or more weight carrying capacity (Subject to Note 15),</p> <p>Livestock,</p> <p>Logs (wood),</p> <p>Milk, liquid (Subject to Note 2),</p> <p>Mushrooms, fresh (not cold pack nor frozen),</p> <p>Newspapers, newspaper supplements, sections or inserts (not scrap or waste),</p> <p>Nuts, in the shell,</p> <p>Nuts, field shelled (rough shelled, with or without removal of broken shells, dirt, residue, or foreign material, and not cleaned nor further processed),</p> <p>Optical goods transported from or to wholesale houses in packages weighing 10 pounds or less,</p>	<p>Property shipped to or from producers of motion pictures or television shows when transported subject to the rates, rules and regulations provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended,</p> <p>Property transported to a United States Post Office for mailing and United States mail transported from a post office to the addresses thereof (Subject to Note 11),</p> <p>Property which is exempt from regulation by the Interstate Commerce Commission under Sections 203(b)(6) and 203(b)(8) of the Interstate Commerce Act.</p> <p>Sawmill Refuse (hog fuel) composed of sawdust, shavings, bark, veneer, clippings, wood chunks or slabs, and other waste woods, not further processed, and not otherwise usable commercially except as fuel (Subject to Note 13),</p> <p>Sea shells, crushed, ground, powdered or disintegrated (Subject to Note 5),</p> <p>Seeds, as described under that heading in the Governing Classification, when shipped from point of growth to an accumulation station or point of initial processing, or from an accumulation station to point of initial processing; 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	<p>Hops,</p> <p>Houses which have been disengaged from their foundations, or sections thereof and integral parts or contents when the contents are transported within the houses,</p> <p>Hulls, almond, including shells and other waste from the hulling and shelling of almonds, not processed for use as animal or poultry feed,</p> <p>Ice Cream Mix, unflavored,</p> <p>Insecticides, agricultural,</p> <p>Jewelry transported from or to wholesale houses in packages weighing 10 pounds or less,</p> <p>Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles. #The terms "tank trucks, tank trailers and tank semi-trailers" include any truck, trailer or semi-trailer with carrier or shipper provided collapsible tanks or bags 20 feet or more in length 2,000 gallons or more in capacity and 20,000 pounds or more weight carrying capacity (Subject to Note 15),</p> <p>Livestock,</p> <p>Logs (wood),</p> <p>Milk, liquid (Subject to Note 2),</p> <p>Mushrooms, fresh (not cold pack nor frozen),</p> <p>Newspapers, newspaper supplements, sections or inserts (not scrap or waste),</p> <p>Nuts, in the shell,</p> <p>Nuts, field shelled (rough shelled, with or without removal of broken shells, dirt, residue, or foreign material, and not cleaned nor further processed),</p> <p>Optical goods transported from or to wholesale houses in packages weighing 10 pounds or less,</p>	<p>Property shipped to or from producers of motion pictures or television shows when transported subject to the rates, rules and regulations provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended,</p> <p>Property transported to a United States Post Office for mailing and United States mail transported from a post office to the addresses thereof (Subject to Note 11),</p> <p>Property which is exempt from regulation by the Interstate Commerce Commission under Sections 203(b)(6) and 203(b)(8) of the Interstate Commerce Act.</p> <p>Sawmill Refuse (hog fuel) composed of sawdust, shavings, bark, veneer, clippings, wood chunks or slabs, and other waste woods, not further processed, and not otherwise usable commercially except as fuel (Subject to Note 13),</p> <p>Sea shells, crushed, ground, powdered or disintegrated (Subject to Note 5),</p> <p>Seeds, as described under that heading in the Governing Classification, when shipped from point of growth to an accumulation station or point of initial processing, or from an accumulation station to point of initial processing; in bulk, or in containers with a capacity exceeding 40 cubic feet, or in packages weighing 50 pounds or more,</p> <p>Shavings, wood, in bulk, or sawdust, wood, in bulk (subject to Notes 13 and 14).</p> <p>Shell Marl, crushed, ground, or powdered</p> <p>Shells, walnut,</p> <p>Shipments weighing 100 pounds or less when delivered from retail stores or retail warehouses where the property has been sold at retail by a retail merchant, or when returned to the original retail store shipper via the carrier which handled the outbound movement (Subject to Note 3),</p>	

Pits, fruit,  
Pot Cheese,  
Poultry, live,  
\*Pozzolan in bulk, when loaded and  
unloaded pneumatically and when the  
loads are compacted pneumatically  
in the loading process and when  
transported in shipments of 47,500  
pounds or more (or when transported  
in shipments of lesser weights)  
subject to the rates and rules,  
including the minimum charge  
computed on a minimum weight  
of 47,500 pounds, which are  
set forth in Minimum Rate  
Tariff No. 10 (Subject to  
Note 16),

(Continued in Item No. 42)

§ Change )  
\* Addition ) Decision No. 75719

EFFECTIVE

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San Francisco, California.

Correction No. 2133

Item  
No.SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL  
APPLICATION (Continued)APPLICATION OF TARIFF-COMMODITIES (Concluded)  
(Items Nos. 40, 41 and 42)

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),

Vegetables, which are placed in a preservative and are destined to a cannery for processing into a preserved or pickled vegetable,

Sulphur,

Vegetables, dried, viz.: Beans (except Mesquite), Lentils, Onions, Peas (except Cow Peas), Pepper Pods,

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,

Voting Booths, Ballot Boxes, Election Tents and Election Supplies, when transported from or to polling places.

United States mail transported for the Post Office Department under contract,

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,

Vegetables, fresh or green, including mushrooms, fresh (not cold pack or frozen),

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).

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.

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.

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.



C. 5440, Pet. 45 \*  
C. 5432, OSII Dec. 73587

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 or sawdust 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.

\*NOTE 16.--Exemption applies only between points within Southern Territory, as described in Item No. 80 of Minimum Rate Tariff No. 10, and expires with October 13, 1970.

∅ Change )  
\* Addition ) Decision No. 75719

EFFECTIVE

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San Francisco, California.

Correction No. 2134

Cancels

Item No.	SECTION NO. 3--COMMODITY RATES IN CENTS PER 100 POUNDS
<p>Ø728</p>	<p>ØRates for the transportation of Pozzolana, in packages, canceled. Class rates apply.</p> <p>ØRates for the transportation of Pozzolana, in bulk, (1) within Northern Territory and (2) between Northern Territory and Southern Territory, canceled (See Notes 1 and 2). Class rates apply.</p> <p>ΔRates for the transportation of Pozzolana, in bulk, within Southern Territory (see Note 2) transferred to Supplement No. 14 of Minimum Rate Tariff No. 10.</p> <p>NOTE 1.--NORTHERN TERRITORY is that territory which includes all points north of the following boundary line: Beginning at a point on the shoreline of the Pacific Ocean due south of Gaviota; thence northeasterly along an imaginary straight line to the junction point of Santa Barbara, Ventura and Kern County boundaries; thence northerly and westerly along the westerly boundary of Kern County to the junction point of Kern, San Luis Obispo and Kings Counties; thence easterly along the northerly boundary lines of Kern and San Bernardino Counties to the California-Nevada boundary line.</p> <p>NOTE 2.--SOUTHERN TERRITORY is that territory which includes all points south of the southern boundary line of Northern Territory.</p>
	<p>Ø Change )                  ◊ Increase )                  Δ Change, neither increase ) Decision No. 75719                  nor reduction )</p>
<p>EFFECTIVE</p>	
<p>Issued by the Public Utilities Commission of the State of California,                  San Francisco, California.                  Correction No. 2135</p>	