

ORIGINAL

Decision No. 76184

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
J. D. Sherson, Tariff Publishing)	Application No. 51261
Officer, for approval of changes)	(Filed July 22, 1969)
in classification provision.)	

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 com-)	Case No. 5432
modities 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).)	

And Related Matters)	Cases Nos. 5435, 5439
)	and 5441

OPINION AND ORDER

By this application, J. D. Sherson, Tariff Publishing Officer, on behalf of the rail carriers participating in Uniform Freight Classification 9 and Consolidated Freight Classification 23, seeks to publish amendments to certain classification ratings and rules in said classifications governing the intrastate transportation of property between points in California by such rail carriers.

Applicant proposes to: (1) revise the rule pertaining to carload minimum weights, which vary according to the length of car ordered so that the variance will also depend upon the cubical capacity of the car ordered; (2) modify the specifications for liquid carrying fibre drums of the type in which a polyethylene

insert is required; (3) limit the application of the rating on locomotives and/or locomotive tenders to situations where the condition of such equipment permits movement in regular freight train service at normal freight train speeds; (4) increase the carload rating on magnetic tape or wire, other than sound recording, from Class 55 to Class 70; and (5) amend the package description on certain double-wall corrugated fibreboard boxes.¹

Applicant states that the proposed revision of the minimum weight rule would provide an equitable solution to the problems arising from the use of high cube cars and the fact that the 40-foot car has been replaced by the 50-foot car as the standard car. Applicant alleges that correlation of specifications for liquid carrying fibre drums is necessary in order that the liquid products may be safely contained therein and the restriction on the rating for the transportation of locomotives and/or locomotive tenders is required to reflect the services involved. Applicant avers that the proposed carload rating on the magnetic tape or wire, other than sound recording, would enable the carriers to apply the same carload rating to all types of such articles. Applicant declares that the proposed amendment of the package description on the fibreboard boxes would qualify the current specifications and is supported by various industrial associations.

Copies of the application were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about July 21, 1969. The application was listed on the Commission's Daily Calendar of July 23, 1969. No objection to the granting of the application has been received.

¹ The proposed ratings and rules are set forth in detail in the application and Exhibits E and F attached thereto.

In the circumstances, it appears, and the Commission finds that increases resulting from publication of the amendments, as proposed, are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. J. D. Sherson, Tariff Publishing Officer, is authorized, on behalf of the carriers participating in Uniform Freight Classification 9 and Consolidated Freight Classification 23, to publish amendments to said classifications as specifically proposed in the application.

2. Tariff publications authorized to be made as a result of paragraph 1 hereof shall be filed not earlier than the effective date of this order and may be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and to the public.

3. Common carriers maintaining, under outstanding authorizations permitting the alternative use of rail rates, rates based on the classification ratings and rules involved herein and below the specific minimum rate levels otherwise applicable, are authorized and directed to increase such rates to the level of the rail rates established pursuant to the authority granted in paragraph 1 hereof or to the level of the otherwise specific minimum rates, whichever is lower.

4. Tariff publications required or authorized to be made by common carriers as a result of paragraph 3 hereof may be made effective not earlier than the effective date of the publications made by applicant pursuant to the authority granted in paragraph 1 hereof on not less than ten days' notice to the Commission and to the public; such tariff publications as are

required shall be made effective not later than thirty days after the effective date of the tariff publications made by applicant pursuant to the authority granted in paragraph 1 hereof.

5. Common carriers, in establishing and maintaining rates based on the classification ratings and rules authorized herein, 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 rates published under this authority shall make reference to prior orders authorizing long- and short-haul departures and to this order.

6. The authority granted in paragraph 1 hereof shall expire unless exercised within ninety days after the effective date of this order.

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

Dated at San Francisco, California, this 16th day of September, 1969.

William J. Lyons, Jr.
President

[Signature]

[Signature]

Vernon L. Sturgeon
Commissioners