

Decision No. 76304

ORIGINAL

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)	Case No. 5603
of all common carriers and highway)	(Petition for Modification
carriers relating to the trans-)	No. 73)
portation of uncrated new furniture)	(Filed September 3, 1969)
(commodities for which rates are)	
provided in Minimum Rate Tariff)	
No. 11-A).)	

OPINION AND ORDER

Minimum Rate Tariff No. 11-A names rates and rules for the statewide transportation of uncrated new furniture by highway carriers. By this petition, California Trucking Association seeks adjustment in the minimum rates and charges in the above tariff to offset increases in transportation costs. Petitioner asks that the tariff revisions be made effective November 1, 1969, and that common carriers be authorized and directed to establish in their respective tariffs such modifications as may be prescribed by the Commission's order in this proceeding. Relief from long- and short-haul provisions of Section 460 of the Public Utilities Code is also sought.

The proposed tariff revisions are set forth in detail in Exhibit A of the petition and involve generally:

- (a) Increasing by 5 cents per 100 pounds the additional charges for services performed when the point of origin is other than an established depot;
- (b) Increasing the charges for accessorial services for driver, helper or other employee from \$3.90 to \$4.10 for the first 30 minutes or fraction thereof and from \$1.95 to \$2.05 for each additional 15 minutes or fraction thereof;

- (c) Increasing the minimum charge per shipment from \$4.40 to \$4.60 when the distance from point of origin to point of destination does not exceed 150 miles and from \$5.40 to \$5.60 when such distance exceeds 150 miles; and
- (d) Increasing the rates for the transportation of the furniture by amounts ranging from 2 to 5 percent depending upon the weights of the shipments and the distances involved.

Petitioner states that the rates and charges were last revised generally February 22, 1969, and that the cost of transporting furniture will be substantially increased on November 1, 1969, due to contractual increases in wage rates and allied labor costs. Petitioner alleges that such increases will affect all categories of highway carrier employees including drivers and terminal employees. Petitioner asserts that the minimum rates and charges in Minimum Rate Tariff No. 11-A will become unreasonably low when such increases in costs become effective.

Exhibit B attached to the petition contains a verified statement, which indicates that the increases in labor costs for the transportation in question approximate 5 percent and that the three principal carriers, which transport furniture, experienced operating ratios ranging from 100 to 105.8 percent for the year 1968.

Copies of the petition were mailed to various chambers of commerce, shipper organizations and carrier representatives. The petition was listed on the Commission's Daily Calendar of September 4, 1969. Furniture Manufacturers Association of California has informed the Commission by letter that it supports petitioner's proposal. No objection to the granting of the petition has been received.

In the circumstances, it appears, and the Commission finds that petitioner's proposed rates and charges are reasonable and that the resulting minimum rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation involved, and, to the extent that said rates and charges will result in increases, such increases are justified. A public hearing is not necessary. The Commission concludes that the petition should be granted to the extent indicated in the order which follows.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 11-A (Appendix A of Decision No. 50114, as amended) is further amended by incorporating therein to become effective December 1, 1969, the revised pages attached hereto and listed in Appendix P also attached hereto, which pages and appendix are 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 may 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 shall be made effective not later than December 1, 1969.
3. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 50114, as amended, are hereby directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered herein.

4. Common carriers maintaining rates at levels other than the minimum rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff No. 11-A are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff No. 11-A rates herein.

5. Common carriers, in establishing and maintaining the rates and charges authorized hereinabove, are 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 such schedules containing the rates and charges published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

6. In all other respects, Decision No. 50114, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty-four days after the date hereof.

Dated at Los Angeles, California, this 21st day of October, 1969.

William Lyness - J.
President

Augustus
Richard J.

John L. Stinson
Commissioners

APPENDIX A TO DECISION NO. 76304

List of Revised Pages to Minimum Rate Tariff No. 11-A
Authorized by Said Decision

Fifteenth Revised Page 6

Fourteenth Revised Page 7

Seventeenth Revised Page 15

Fifth Revised Page 15-A

Fifteenth Revised Page 16

(END OF APPENDIX A LIST)

SECTION 1--RULES AND REGULATIONS (Continued)		ITEM												
<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates provided in this tariff are for the transportation of shipments from point of origin to point of destination and include loading into and unloading from carrier's unit of equipment, subject to Notes 1, 2 and 3.</p> <p>NOTE 1.--When the point of origin is other than an established depot, the additional rate provided below shall be added to the rates for the corresponding minimum weights as set forth in Section 3. The sum of these rates shall be the rate applicable to a single shipment from point of origin to point of destination.</p> <table><tr><td><u>Minimum Weight</u></td><td><u>oRates in Cents Per 100 Pounds</u></td></tr><tr><td>Any Quantity-----</td><td>170</td></tr><tr><td>500 Pounds-----</td><td>135</td></tr><tr><td>2,000 Pounds-----</td><td>110</td></tr></table> <p>NOTE 2.--When the actual weight of a single shipment exceeds 5,000 pounds, the provisions of Note 1 shall not apply.</p> <p>NOTE 3.--When shipments are transported for persons, companies or corporations upon whose premises established depots are located, the provisions and charges of Note 1 shall be applied.</p>		<u>Minimum Weight</u>	<u>oRates in Cents Per 100 Pounds</u>	Any Quantity-----	170	500 Pounds-----	135	2,000 Pounds-----	110	660				
<u>Minimum Weight</u>	<u>oRates in Cents Per 100 Pounds</u>													
Any Quantity-----	170													
500 Pounds-----	135													
2,000 Pounds-----	110													
<p style="text-align: center;">ACCESSORIAL SERVICES</p> <p>When carrier performs any accessorial or incidental service which is not authorized to be performed under rates named in this tariff, and for which a charge is not otherwise provided, additional charges shall be assessed as provided in Item 90. The charge therein provided for unit of equipment shall apply whenever the accessorial or incidental service requires its use, or whenever the unit of equipment is inactivated by reason of its driver or helper being engaged in such service.</p>		70												
<p style="text-align: center;">DELAYS TO EQUIPMENT</p> <p>When consignor or consignee is responsible for delay to carrier's equipment at or in vicinity of either point of loading or point of unloading in excess of 30 minutes (exclusive of time actually involved in loading or unloading) additional charges for delay time in excess of 30 minutes shall be assessed as provided in Item 90.</p>		80												
<p style="text-align: center;">CHARGES FOR ACCESSORIAL SERVICES OR DELAYS</p> <p>For accessorial services or delays under the conditions specified in Items 70 and 80, charges shall be assessed for each period or fraction thereof, as follows:</p> <table><tr><td></td><td colspan="2"><u>Charges in Cents</u></td></tr><tr><td></td><td><u>For First 30 Minutes</u></td><td><u>For each Additional 15 Minutes</u></td></tr><tr><td>(a) For driver, helper or other employee, per man-----</td><td>0410</td><td>0205</td></tr><tr><td>(b) For unit of equipment-----</td><td>90</td><td>45</td></tr></table>			<u>Charges in Cents</u>			<u>For First 30 Minutes</u>	<u>For each Additional 15 Minutes</u>	(a) For driver, helper or other employee, per man-----	0410	0205	(b) For unit of equipment-----	90	45	690
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ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.														
Correction 101														

SECTION 1--RULES AND REGULATIONS (Continued)	ITEM
<p style="text-align: center;">MINIMUM CHARGE</p> <p>The minimum charge per shipment shall be the charge for 100 pounds at the applicable rate but not less than:</p> <p>(a) 0460 cents per shipment when the constructive distance from point of origin to destination does not exceed 150 miles.</p> <p>(b) 0560 cents per shipment when the constructive distance from point of origin to destination exceeds 150 miles.</p>	100
<p style="text-align: center;">SHIPMENTS TRANSPORTED BY TWO OR MORE CARRIERS</p> <p>When shipments in continuous through movement are transported by two or more carriers, the rates (including minimum charges) provided herein from point of origin to point of destination shall be the minimum rates for the combined transportation.</p>	110
<p style="text-align: center;">SHIPMENTS TO BE RATED SEPARATELY</p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the carrier.</p>	120
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>Common carrier rates may be applied in lieu of the rates provided in this tariff, when such common carrier rates produce a lower aggregate charge for the same transportation and for the same accessorial services, than results from the application of the rates herein provided. (See Note)</p> <p>NOTE.--In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.</p>	130
<p style="text-align: center;">ACCESSORIAL CHARGES NOT TO BE OFFSET BY TRANSPORTATION CHARGES</p> <p>Accessorial charges set forth in this tariff for accessorial services not included in the rate for actual transportation shall be assessed and collected when such services are performed, regardless of the level of the transportation rate assessed. Such accessorial charges may not be waived on the basis that a higher-than-minimum transportation rate serves as an offset.</p>	135
<p>Ø Change) o Increase) Decision No. 76304</p>	
EFFECTIVE	
<p>Correction 102</p> <p style="text-align: right;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

SECTION 3--RATES								ITEM
DISTANCE RATES IN CENTS PER 100 POUNDS (See Note 1)								
MILES Over But Not Over	Any Quantity		Minimum Weight 500 Pounds		Minimum Weight 2,000 Pounds			
	Column A (See Note 2)	Column B (See Note 3)	Column A (See Note 2)	Column B (See Note 3)	Column A (See Note 2)	Column B (See Note 3)		
0 5	286	245	199	171	157	135		
5 10	295	253	208	178	166	142		
10 15	304	261	217	186	175	150		
15 20	313	268	226	194	184	158		
20 25	322	276	235	201	193	165		
25 30	331	284	244	209	202	173		
30 35	340	291	253	217	211	181		
35 40	349	299	262	225	220	189		
40 45	358	307	271	232	229	196		
45 50	367	315	280	240	238	204		
50 60	380	326	293	251	251	215		
60 70	393	337	306	262	264	226		
70 80	406	348	319	273	277	237		
80 90	419	359	332	285	290	249		
90 100	432	370	345	296	303	260		
100 110	444	381	357	306	315	270		
110 120	456	391	369	316	327	280		
120 130	468	401	381	327	339	291		
130 140	480	411	393	337	351	301		
140 150	492	422	405	347	363	311		0400
150 160	502	430	415	356	373	320		
160 170	512	439	425	364	383	328		
170 180	522	447	435	373	393	337		
180 190	532	456	445	381	403	345		
190 200	542	465	455	390	413	354		
(Continued in Item 405)								
<p>NOTE 1.--Rates in this item apply only when point of origin is an established depot. When point of origin is other than an established depot, add the additional rates provided in Item 60 to the rates provided in this item. The sum of these rates shall be the rate applicable for a single shipment from point of origin to point of destination.</p> <p>NOTE 2.--Column A rates apply to shipments of articles which have an LTL class rating of 175 or higher in the Governing Classification. (See Notes 4, 5 and 6)</p> <p>NOTE 3.--Column B rates apply to shipments of articles which have an LTL class rating of less than 175 in the Governing Classification. (See Notes 4, 5 and 6)</p> <p>NOTE 4.--When there are two or more ratings (sub-numbers) under individual items describing articles of furniture in the Governing Classification, the highest rating shall apply. (See Note 6)</p> <p>NOTE 5.--The LTL class ratings applicable under Notes 2, 3 and 4 above are not subject to the provisions of Items (Rules) 423 and 687 of the Governing Classification.</p> <p>NOTE 6.--The provisions of Notes 2, 3 and 4 herein do not apply to items describing articles of furniture in the Governing Classification for which the applicable rate column is specifically set forth in Item 155 of this tariff.</p>								
<p>76304</p> <p>0 Increase, Decision No.</p>								
EFFECTIVE								
<p>Correction 103</p> <p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</p>								

SECTION 3--RATES (Continued)

ITEM

DISTANCE RATES IN CENTS PER 100 POUNDS (See Note 1)

MILES But Over Not Over		Any Quantity		Minimum Weight 500 Pounds		Minimum Weight 2,000 Pounds	
		Column A (See Note 2)	Column B (See Note 3)	Column A (See Note 2)	Column B (See Note 3)	Column A (See Note 2)	Column B (See Note 3)
200	220	557	477	470	403	428	367
220	240	572	490	485	416	443	380
240	260	587	503	500	429	458	393
260	280	602	516	515	441	473	405
280	300	617	529	530	454	488	418
300	325	636	545	549	471	507	435
325	350	655	561	568	487	526	451
350	375	674	578	587	503	545	467
375	400	693	594	606	519	564	483
400	425	712	610	625	536	583	500
425	450	731	627	644	552	602	516
450	475	750	643	663	568	621	532
475	500	769	659	682	585	640	549
500	525	788	675	701	601	659	565
525	550	807	692	720	617	678	581
550	575	826	708	739	633	697	597
575	600	845	724	758	650	716	614
600	625	864	741	777	666	735	630
625	650	883	757	796	682	754	646
650	---	(See Note 6)		(See Note 6)		(See Note 6)	

0405

NOTE 1.--Rates in this item apply only when point of origin is an established depot. When point of origin is other than an established depot, add the additional rates provided in Item 60 to the rates provided in this item. The sum of these rates shall be the rate applicable for a single shipment from point of origin to point of destination.

NOTE 2.--Column A rates apply to shipments of articles which have an LTL class rating of 175 or higher in the Governing Classification. (See Notes 4, 5 and 7)

NOTE 3.--Column B rates apply to shipments of articles which have an LTL class rating of less than 175 in the Governing Classification. (See Notes 4, 5 and 7)

NOTE 4.--When there are two or more ratings (sub-numbers) under individual items describing articles of furniture in the Governing Classification, the highest rating shall apply. (See Note 7)

NOTE 5.--The LTL class ratings applicable under Notes 2, 3 and 4 above are not subject to the provisions of Items (Rules) 423 and 687 of the Governing Classification.

NOTE 6.--For each 25 miles (or fraction thereof) in excess of 650 miles, add to the rate for 650 miles the following:

Column A: o 19 cents per 100 pounds
Column B: o 16 cents per 100 pounds

NOTE 7.--The provisions of Notes 2, 3 and 4 do not apply to items describing articles of furniture in the Governing Classification for which the applicable rate column is specifically set forth in Item 155 of this tariff.

o Increase, except as noted)
o No change)

Decision No. 76304

EFFECTIVE

Correction 104

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
SAN FRANCISCO, CALIFORNIA.

SECTION 3--RATES (Concluded)						ITEM
POINT-TO-POINT RATES IN CENTS PER 100 POUNDS (See Notes 1 and 2)						
BETWEEN: Los Angeles Territory AND: San Francisco Territory (See Item 300)	Any Quantity		Minimum Weight 500 Pounds		Minimum Weight 2,000 Pounds	
	Column A (See Note 3)	Column B (See Note 4)	Column A (See Note 3)	Column B (See Note 4)	Column A (See Note 3)	Column B (See Note 4)
	693	594	606	519	564	483
<p>NOTE 1.--Rates in this item apply only when point of origin is an established depot. When point of origin is other than an established depot, add the additional rates provided in Item 60 to the rates provided in this item. The sum of these rates shall be the rate applicable for a single shipment from point of origin to point of destination.</p> <p>NOTE 2.--If charges accruing under rates in this item, applied on shipments from, to, or between points intermediate between the Los Angeles and San Francisco Territories via routes shown in Item 500 are lower than charges accruing under the Distance Rates in Items 400 and 405, on the same shipment, such lower charges will apply. Rates in this item applied to intermediate points under these provisions apply at all points located within a distance of one actual highway mile on either side of the authorized route and at all points located within incorporated cities through which the highway route passes.</p> <p>NOTE 3.--Column A rates apply to shipments of articles which have LTL class rating of 175 or higher in the Governing Classification. (See Notes 5, 6 and 7)</p> <p>NOTE 4.--Column B rates apply to shipments of articles which have LTL class rating of less than 175 in the Governing Classification. (See Notes 5, 6 and 7)</p> <p>NOTE 5.--When there are two or more ratings (sub-numbers) under individual items describing articles of furniture in the Governing Classification, the highest rating shall apply. (See Note 7)</p> <p>NOTE 6.--The LTL class ratings applicable under Notes 3, 4 and 5 above are not subject to the provisions of Items (Rules) 423 and 687 of the Governing Classification.</p> <p>NOTE 7.--The provisions of Notes 3, 4 and 5 do not apply to items describing articles of furniture in the Governing Classification for which the applicable rate column is specifically set forth in Item 155 of this tariff.</p>						0410
◇ Increase, Decision No. 76304						
EFFECTIVE						
Correction 105						ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.