

Decision No. 76305

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 of)
all common carriers, highway carriers)
and city carriers relating to the)
transportation of any and all com-)
modities between and within all points)
and places in the State of California)
(including, but not limited to, trans-)
portation for which rates are provided)
in Minimum Rate Tariff No. 2).)

Case No. 5432
(Petition for Modification)
No. 551)
(Filed August 8, 1969)

In the Matter of the Investigation for)
the purpose of considering and de-)
termining revisions in or reissues of)
Minimum Rate Tariff No. 14-A.)

Case No. 7857
(Petition for Modification)
No. 25)
(Filed August 8, 1969)

OPINION AND ORDER

By the above petitions, Taylor-Wattron Co., a wholesale feed ingredient distributor, seeks to have the commodity descriptions on grain and related articles in Minimum Rate Tariffs Nos. 2 and 14-A amended to include therein cocoa bean shells or hulls.

Petitioner states that cocoa bean shells or hulls had been included in the commodity descriptions in the above tariffs pertaining to grain and related articles but that these shells or hulls were excluded from the aforementioned commodity descriptions as a result of recent revisions in such tariffs.¹ Petitioner avers that the party that sought these recent revisions alleged that such changes were designed to simplify the lengthy out-dated commodity descriptions in the tariffs and that commodity descriptions were

¹ See Decisions Nos. 75426 and 75427 dated March 18, 1969, in Cases Nos. 5432 (Petition No. 530) and 7857 (Petition No. 21).

intentionally omitted only where the affected parties indicated that no known present or potential movement existed. Petitioner asserts that neither it nor its suppliers including several large chocolate producers in the San Francisco Bay area were informed concerning the proposal, which provided for the deletion of the commodity descriptions in question. Petitioner declares that cocoa bean hulls or shells, which were formerly hauled to the dump and discarded, have a limited value as an animal feed - about \$5.00 per ton on today's market.

Copies of the petitions were served on California Trucking Association on or about August 11, 1969. The petitions were listed on the Commission's Daily Calendar of August 11, 1969. No objection to the granting of the petitions has been received.

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable and that the resulting minimum rates and charges will be just, reasonable and non-discriminatory minimum rates and charges for the transportation involved. A public hearing is not necessary. The Commission concludes that the petitions should be granted. Minimum Rate Tariff No. 2 will be amended accordingly by the order herein. In order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 14-A will be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix D to Decision No. 31606, as amended) is further amended by incorporating therein, to become effective December 1, 1969, the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix are made a part hereof.

2. Tariff publications authorized 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, 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 pages incorporated in this order.

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-four days after the date hereof.

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

William Synovos, Jr.
President

Glenn Gordon
J. D. Williams
Charles H. ...

Vernon L. ...
Commissioners

APPENDIX A TO DECISION NO. 76305

List of Revised Pages to Minimum Rate Tariff No. 2

Authorized by Said Decision

Seventh Revised Page 1-A

Thirty-fifth Revised Page 6

Forty-second Revised Page 9

Fourth Revised Page 10

Eleventh Revised Page 49-A

(END OF APPENDIX A LIST)

EXPLANATION OF ABBREVIATIONS, CHARACTERS AND SYMBOLS

ABBREVIATIONS APPEARING IN THIS TARIFF

C.O.D.	-----	Collect on Delivery
Col.	-----	Column
Cal.P.U.C.	-----	Public Utilities Commission of the State of California
KD	-----	Knocked Down
LTL	-----	Less Than Truckload
MZ	-----	Metropolitan Zone
No.	-----	Number
NOI	-----	Not more specifically described in the Governing Classification
SU	-----	Set Up
TL	-----	Truckload
Viz.	-----	Namely

CHARACTERS APPEARING IN RATING COLUMNS IN THIS TARIFF

%	-----	Percent or per centum
\$	-----	Dollars
300	-----	Means three times Class 100
200	-----	Means two times Class 100
175	-----	Means one and three fourth times Class 100
150	-----	Means one and one half times Class 100
125	-----	Means one and one fourth times Class 100
100	-----	Means Class 100
92½	-----	Means Class 92½
85	-----	Means Class 85
77½	-----	Means Class 77½
70	-----	Means Class 70
65	-----	Means Class 65
60	-----	Means Class 60
55	-----	Means Class 55
50	-----	Means Class 50
50.1	-----	Means Class 50.1
45	-----	Means Class 45
40	-----	Means Class 40
37½	-----	Means Class 37½
35	-----	Means Class 35
35.1	-----	Means Class 35.1
35.2	-----	Means Class 35.2
35.3	-----	Means Class 35.3
35.4	-----	Means Class 35.4

Change in format only, Decision No. 76305

EFFECTIVE

Correction 2171

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

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	COMMODITY	ITEM
Figs, powdered	350	Gas, petroleum liquefied	377.5,723-726
Fire Brick (M)	365	Gears, running, steam boiler (M)	365
Fire Clay (M)	365	Gelatine	360
Fish (animal feed)	338	Generators, Electric (M)	365
Fish, cooked, pickled or preserved	320,345	Germ, wheat	652-654½
Fish, other than fresh or frozen	360	Glucose	360
Fish Roe	320	Grain as described under the heading of "Grain Group" in the Governing Classification	652-654½
Fittings, Pipe, Iron or Steel	365,378	Grain Products as described under the heading "Grain Products" in the Governing Classification	652-654½
Flavoring Compounds	360	Grate Bars	365
Flour, Bean	652-654½	Grit, processed from rock or shell	652-654½
Flour, cooked	339	Groceries and Grocers' Supplies	360
Flour, edible	360	Gum, Chewing	360
Flour, gelatinized	339	Hominy	320-1
Flour, Grain	339	Money	320,360
Flour, Potato	339,652-654½	Horseradish	360
Flour, prepared, edible	339,652-654½	Horseradish, prepared	320-1
Flour, Rice	339,652-654½	Hulls, cocoa bean	652-654½
Flour, Soybean	339	Hulls, cottonseed	652-654½
Flour, Tapioca	652-654½	Hulls, Nut	652-654½
Flues, Boiler	365	Hulls, sunflower	652-654½
Fondant, Candy	360	Hulls, whole or ground	652-654½
Food, Baby	320	Hydrogen Peroxide, Solutions of	385
Food, Cereal	360	Icings	360
Food, Milk, other than malted, liquid	320	Insecticides (M)	377.5,723-726
Food, prepared	360	Iron, plate or sheet (M)	365
Food Preparations, Cereal (M)	360	Jam	320
Foodstuffs for human consumption	345,620,630	Jelly	320
Fruit (not dried, evaporated nor fresh)	320	Joints, Sucker Rod	365
Fruit, candied, crystallized, glazed or stuffed	360	Juice, Clam	320
Fruit, crushed	320	Juice, Fruit	320
Fruits, dried or evaporated	350	Lard	335.5
Fruit Drink	320	Lard Compounds	335.5
Fruit Juice Powders or Crystals, Citrus	360	Lard Substitutes	335.5
Fruit Peel, candied, crystallized, glazed or stuffed	360		
Fruit Syrups	360		
Garlic Chips	320		
Garlic Powder	320		

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

* Addition, Decision No.

76305

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SAN FRANCISCO, CALIFORNIA.

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	COMMODITY	ITEM
Salad Dressing Preparations, dry	360	Solvent (M)	377.5, 721-726
Salads, Fish, Macaroni, Meat or Vegetable	360	Solvent, Drain pipe	730-732
Salt, common	380	Soups	320
Salt (M)	360	Sour, laundry	730-732
Sandwich Spreads	320-1, 345	Spaghetti and Cheese	345
Sauce, pepper	320-1	Spaghetti, except canned	360
Sauces, table	320-1	Spaghetti (prepared)	320
Sausage	320-1	Spaghetti, dry, and other ingredients	345, 360
Sausage casings	320-1	Spices	360
Sawmill Residue (M)	382	Spreads, sandwich	320-1, 345
Seeds as described under that heading in the Governing Classification	383, 652-654½	Stain, wood (M)	377.5, 723-726
Shakes	690, 710	Starch	730-732
Shampoo	395	Steam Boiler Trucks (M)	365
Sheets, sawdust or ground wood, compressed	690, 710	Steel, plate or sheet (M)	365
*Shells, cocoa bean	652-654½	Steel Wool and Soap, Com-bined (M)	360
Shells, Nut	652-654½	Stout	310, 360
Shingles	690, 710	Sugar	390, 740, 745, 755
Shook, box or crate	690, 710	Sugar, beet or cane	390
Shortening	335.5	Sugar, corn, sorghum grain or wheat	390
Smokestacks (M)	365	Supplies, Oil, Water or Gas Well	365
Soap	730-732	Syrup	320-1
Soap, liquid (M)	377.5, 723-726	Syrups, Fruit	360
Soap, liquid	730-732	Syrup, Malt	360
Soap, powder	730-732		
Soda, washing	730-732	Table Sauces	320-1
Sodium Hypochlorite Solution	730-732	Tanks, steel (M)	365
Softeners, textile	730-732	Tapioca	360
Solutions of Hydrogen Peroxide	385		

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

* Addition, Decision No.

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Correction 2173

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

ARRANGEMENT OF TARIFF

This is a loose-leaf tariff consisting of five sections.

SECTION 1 contains rules of general application.

Except as otherwise specifically provided, the rules contained in Section 1 govern the rates in Section 2 and Section 3 of the tariff.

SECTION 2 contains class rates.

SECTION 3 contains commodity rates.

SECTION 4 contains routing applicable in connection with rates in Section 2 and Section 3 making specific reference thereto.

SECTION 5 contains forms of documents.

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Correction 2174

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

SECTION 3--COMMODITY RATES (Continued)	ITEM
<p>(Numbers within parentheses immediately following commodities shown below refer to such commodities as they are described in the corresponding item numbers of the Governing Classification.)</p> <p>(Applies in connection with rates making specific reference hereto.)</p> <p>LIST 3--FEED, ANIMAL OR POULTRY</p> <p>Feed, as described in Items 66700 through 67480 and 67520 through 67882 ("Feed Group") of the Governing Classification, not frozen, subject to Note 3. Alfalfa, chopped and pressed into cubes or pellets, airdry or otherwise dried. Feed, animal or poultry, consisting entirely of Grain or Grain Products named in Lists 1 or 2 above, when not fit for human consumption, subject to Note 3. Grit, processed from rock or shell. Hulls, cottonseed (54410, 54430). Hulls, sunflower seed (179980). Hulls, NOI, whole or ground. *Hulls or Shells, cocoa bean, ground or not ground, in packages or in bulk. Limestone, crushed or ground, feed grade. Meal, feather. Mineral Mixtures (see Note 1). Nut hulls or shells, NOI (175460). Pomace (194220, 194240, 194540, 194620, 194880, and 194900), subject to Note 2. Pomace, NOI, subject to Note 2. (1) (2) Shell Marl, crushed, ground, or powdered. Urea (47220).</p> <p>NOTE 1.--Includes Mineral Mixtures containing Calcium Carbonate, Copperas, Epsoms Salts, Crude Salt (feed grade), Sulphate of Soda, Glauber's Salts, Sulphur for Potassium Iodide, with or without not in excess of 10% by weight of other unnamed ingredients.</p> <p>NOTE 2.--Applies only when in physical mixture with other articles in Lists 1, 2 or 4.</p> <p>NOTE 3.--Does not include cooked or baked cakes, biscuits or bread.</p> <p>(1) Unless otherwise exempt under the provisions of Items 41 and 42. (2) Effective March 15, 1970.</p>	<p>66524</p>
<p>of Change) * Addition) Decision No. 76305</p>	
EFFECTIVE (EXCEPT AS NOTED)	
Correction 2175	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.