

ORIGINAL

Decision No. 76410

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 property in Los Angeles and Orange Counties (transportation for which rates are provided in Minimum Rate Tariff No. 5).

Case No. 5435
Order Setting Hearing
Decision No. 74992
November 26, 1968

OPINION AND ORDER

By Decision No. 76408, entered today in Case No. 5435 (Order Setting Hearing Decision No. 74992 of November 26, 1968) et al., further disposition was made of the existing exception ratings and rules contained in Minimum Rate Tariff No. 5, thereby reflecting the recent adoption of National Motor Freight Classification A-10 to otherwise govern said tariff. The decision also provided that Minimum Rate Tariff No. 5 should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 5 (Appendix A to Decision No. 32504, as amended) is further amended by incorporating therein to become effective January 3, 1970, the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix by this reference are made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 32504, as amended, are hereby directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered herein.

3. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff No. 5 are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff No. 5 rates herein.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff No. 5 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff No. 5 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff No. 5 rates herein.

5. 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. 5 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff No. 5 rates herein.

6. Tariff publications resulting in increases required or 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 twentieth day after the effective date of this order, on not less than twenty days' notice to the Commission and to the public; such tariff publications as are required shall be made effective not later than January 3, 1970; as to increases which are authorized but not required, the authority herein granted shall expire unless exercised within sixty days after the effective date of this order; and tariff publications resulting in reductions may be made effective not earlier than the twentieth day after the effective date of this order, and may be made effective not less than twenty 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.

7. Common carriers, in establishing and maintaining the rates 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 rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

8. In all other respects said Decision No. 32504, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 12th day of NOVEMBER, 1969.

William S. Quinn, Jr.
President
Arthur D. ...
J. P. ...
...
James L. Sturgeon
Commissioner

C. 5435 (OSH Dec. No. 74992) - ams

APPENDIX A TO DECISION NO. 76410

List of Revised Pages to Minimum Rate Tariff No. 5

Authorized by Said Decision

Fourteenth Revised Page 3

Twelfth Revised Page 4

Seventeenth Revised Page 5

Eleventh Revised Page 16-A

Twelfth Revised Page 21

Nineteenth Revised Page 22

Eleventh Revised Page 22-A

Fourth Revised Page 22-B

Third Revised Page 22-C

(END OF APPENDIX A LIST)

**INDEX OF COMMODITIES

Only those articles which are named in commodity items or in Exceptions to Governing Classification are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
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Beans, dry	341	Chocolate	224.5,341
Beer	341	Chocolate Coating	224.5,341
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Beverage Preparations	341	Coffee Substitutes	341
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	342	Compounds, Tree and Weed Kill-	
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		Confectionery	224.5,341
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as described	341	Acids	341
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described	294		

** Various Commodities and items eliminated, Decision No. 76410

EFFECTIVE

**INDEX OF COMMODITIES (Continued)

COMMODITY	ITEM	COMMODITY	ITEM
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Flour	340	Junk, as described	340
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Fondant, candy	341	Lard, Lard Compounds, Lard Substitutes	341
Food, Infants' or Invalids'	341	Lentils, dry	341
Food, prepared	341	Liquors, malt, as described	341
Foodstuffs, canned or preserved	292,293	Lumber and Forest Products, as described	360-362
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Fruit, dried, as described	341	Mustard, Prepared	341
Fruit Juice Powders or Crystals	341	Nails, iron or steel	340
Gases, compressed	341	Noodles, except canned	341
Gelatine	341	Nuts, edible	341
Girders, iron or steel	340	Nuts, iron or steel	340
Glasses	341	Paperboard	385
Glassware, as described	341	Paper, newsprint	340
Glucose	341	Paste, alimentary	341
Grain and other articles, as described	340	Paste, confectioners'	341
Guides, elevator, iron or steel	340	Paving Material	297,298, 342
Gum, chewing	341		
Hangers, joist, iron or steel	340		
Honey	341		
Hoops, iron or steel	340		
Horseradish, Prepared	341		
Ingots, iron or steel	340		

** Various commodities and items eliminated, Decision No. **76410**

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**INDEX OF COMMODITIES (Concluded)

COMMODITY	ITEM	COMMODITY	ITEM
Peas, dry	341	Shoes, iron or steel, as described	340
Pepper Sauce	341	Shortening, vegetable oil	341
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Piling, iron or steel	340	Stout	341
Pipe, iron or steel	340	Substitutes, Lard	341
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Popcorn	341		
Porter	341		
Posts, fence, iron or steel	340	Tapioca	341
Potato Chips	341	Tea	341
Poultry and poultry parts	266	Tees, iron or steel	340
Powder, baking or yeast	341	Ties, bale, iron or steel	340
Powder, icing	224.5	Tinplate	340
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		Tubing, pier, iron or steel	340
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Rice	341		
Rivets, iron or steel	340	Washers, iron or steel	340
Rods, iron or steel	340	Weights, iron or steel, as described	340
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		Wire, iron or steel	340
Sago	341	Yeast	341
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Salads as described	341		
Salt, common	341		
Sauces, Table	341		
Sheets, iron or steel, as described	340		

** Various commodities and items eliminated, Decision No.

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

Correction 602

MINIMUM RATE TARIFF 5

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM																					
<p style="text-align: center;">CHARGES FOR ESCORT SERVICE</p> <p>In addition to all other applicable rates and charges named in this tariff, the following charges shall be assessed on shipments requiring escort service:</p> <p>(a) A charge of \$8.35 per hour, plus 9 cents per actual mile, shall be made for each escort vehicle and driver furnished, for the time and distance said vehicle and driver are engaged in such service. (See Notes 1 and 2.)</p> <p>(b) A charge shall be made equal to the actual cost of any bridge or ferry tolls incurred for each escort car.</p> <p>NOTE 1.--Service shall commence with departure of each escort vehicle from its point of dispatch and terminate with the return of each escort car to its point of dispatch, excluding off-duty hours.</p> <p>NOTE 2.--Charges for fractions of an hour shall be determined in accordance with the following table:</p> <table border="0" style="width: 100%;"> <tr> <td style="text-align: center;">MINUTES</td> <td style="text-align: center;">But</td> <td></td> </tr> <tr> <td style="text-align: center;">Over</td> <td style="text-align: center;">Not Over</td> <td></td> </tr> <tr> <td style="text-align: center;">0</td> <td style="text-align: center;">8</td> <td>----- omit</td> </tr> <tr> <td style="text-align: center;">8</td> <td style="text-align: center;">23</td> <td>----- shall be 1/4 hour</td> </tr> <tr> <td style="text-align: center;">23</td> <td style="text-align: center;">38</td> <td>----- shall be 1/2 hour</td> </tr> <tr> <td style="text-align: center;">38</td> <td style="text-align: center;">53</td> <td>----- shall be 3/4 hour</td> </tr> <tr> <td style="text-align: center;">53</td> <td style="text-align: center;">60</td> <td>----- shall be 1 hour</td> </tr> </table>	MINUTES	But		Over	Not Over		0	8	----- omit	8	23	----- shall be 1/4 hour	23	38	----- shall be 1/2 hour	38	53	----- shall be 3/4 hour	53	60	----- shall be 1 hour	126
MINUTES	But																					
Over	Not Over																					
0	8	----- omit																				
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23	38	----- shall be 1/2 hour																				
38	53	----- shall be 3/4 hour																				
53	60	----- shall be 1 hour																				
<p style="text-align: center;">CHARGES FOR PERMIT SHIPMENTS</p> <p>In addition to all other applicable rates and charges named in this tariff, the following charges shall be assessed on shipments requiring transportation permits:</p> <p>(a) A charge of \$10.00 shall be made for the service of securing each permit, and</p> <p>(b) A charge shall be made equal to the fee, if any, assessed by the governmental agency for issuing each permit.</p>	128																					
<p style="text-align: center;">EMPTY PACKAGES OR CARRIERS. SECONDHAND</p> <p>When Empty Packages or Carriers, as described below, are offered for shipment at the rates published in this tariff:</p> <p>(a) Empty Packages or Carriers, secondhand, empty returned: The carrier must determine that such packages were moved filled and are being returned over the same carrier or carriers to consignor of the original filled packages at locations from which original filled packages were shipped or to another location;</p> <p>(b) Empty Packages or Carriers, secondhand, forwarded for return paying loads: Carrier must determine that such packages will, when filled, be moved over the same carrier or carriers to the consignor of the original empty packages at location from which original empty packages were shipped or to another location;</p> <p>Otherwise carrier will apply the ratings for secondhand packages or carriers not returned.</p>	*(E) 129																					
<p>*(E) Expires with December 31, 1970</p> <p>* Addition, Decision No. 76410</p>																						
EFFECTIVE																						
Correction 603	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA																					

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM																
EXCEPTIONS TO GOVERNING CLASSIFICATION																	
<p>RULES</p> <p>Rates in this tariff are subject to the provisions of the following items (rules) only of the Governing Classification:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">110 (Sections 4(b), 7, 9, 11, 12, 13, 14, 15 and 16 only)</td> <td style="width: 50%;">422</td> <td rowspan="6" style="width: 10%; text-align: center; vertical-align: middle;">190</td> </tr> <tr> <td>310</td> <td>424</td> </tr> <tr> <td>360 (Sections 2(c), 2(d) and 3 only)</td> <td>565</td> </tr> <tr> <td>420</td> <td>595</td> </tr> <tr> <td>421</td> <td>640</td> </tr> <tr> <td></td> <td>845</td> </tr> <tr> <td></td> <td>997 (Table A)</td> <td></td> </tr> </table>		110 (Sections 4(b), 7, 9, 11, 12, 13, 14, 15 and 16 only)	422	190	310	424	360 (Sections 2(c), 2(d) and 3 only)	565	420	595	421	640		845		997 (Table A)	
110 (Sections 4(b), 7, 9, 11, 12, 13, 14, 15 and 16 only)	422	190															
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420	595																
421	640																
	845																
	997 (Table A)																
<p>RATINGS</p> <p>Except as otherwise provided in this Section, class rates contained in Section 3 are subject to any quantity or less-truckload ratings as shown in:</p> <p>(a) The Governing Classification. (b) Sections 2-A and 2-C of the Exception Ratings Tariff.</p>		200															
<p>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 whenever 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>		202															
<p>APPLICATION OF CLASS RATES THAT ARE PERCENTAGES, MULTIPLES OR PROPORTIONS OF SPECIFIC CLASS RATINGS</p> <p>Class ratings which are based on percentages, multiples or proportions of Class 100 or other specified class ratings are not restricted in their application solely to the minimum class rates in the any-quantity weight brackets but will apply in connection with the minimum weight brackets set forth in this tariff applicable to the shipment transported. (See Note)</p> <p>NOTE.--Will not apply to ratings which are subject to Item 290.</p>		204															
<p>PACKING REQUIREMENTS</p> <p>Except on articles described in the Governing Classification under the heading "Furniture Group" articles will not be subject to the packing requirements of the Governing Classification, but may be accepted for transportation in any container or any shipping form, providing such container or form of shipment will render the transportation of the freight reasonably safe and practicable.</p> <p>Except on articles described in the Governing Classification under the heading "Furniture Group" if two or more ratings are provided for an article in the form in which it is shipped (e.g., set up or knocked down, nested or not nested, compressed or not compressed, folded flat or not folded flat), subject to different packing requirements, the lowest of such ratings will apply.</p>		*(E) 210															
<p>*(E) Expires with December 31, 1970. * Addition, Decision No. 76410</p>																	
EFFECTIVE																	
Correction 604	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.																

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF	Class Rating	
Items canceled. Governing Classification ratings apply.	00	212
	0	214
	0	214.5
	00	215
	00	215.5
	00	218
00	219	
Carriers (used packages), second-hand, empty, as described in and subject to the provisions of Items 293 and 294 of this tariff-----	One-half of Class 55	*(E) 220
<p>*(E) Expires with December 31, 1970.</p> <p>* Addition) 0 Increase) Decision No. 76410 0 Reduction)</p>		
EFFECTIVE		
<p>Correction 605</p> <p style="text-align: right;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</p>		

MINIMUM RATE TARIFF 5

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (All item references are to the GC except as otherwise provided)	Class Rating	
Items canceled. Governing Classification ratings apply.		o 250
		oo 260
		Δ 262
		oo 265
Poultry and poultry parts, as described in Item 134740: Any Quantity----- Minimum Weight 10,000 pounds-----	100 55	266
Returned Shipments, viz.: Articles refused by consignee may be returned to original shipper and to original point of shipment at one-half of the outbound rate (applicable to quantity returned) current at time of return movement, subject to established minimum rate and charge, only upon the following conditions: (a) When actual delivery to consignee has been accomplished, articles for return movement properly identified must be presented to carrier within ten days from date of delivery of the original shipments. (See Note.) (b) All charges must be prepaid or guaranteed. Shipping order must show reference to original outbound shipment. (c) Goods must be returned over the same route and line as the original outbound movement. (d) Explosives and Blasting Caps returned to original shipping point under provisions of paragraphs (a), (b) and (c), tendered for return movement under provisions of paragraph (a), but which cannot be accepted until after expiration of ten days' limit on account of carriers having certain specified days for handling Explosives; such shipments will also be received, and rating protected, on the day assigned for receipt of Explosives next following expiration of the ten days' time provided in paragraph (a). NOTE.--This paragraph has no application on shipments which do not leave possession of carrier at original billed destination.		* (E) 267
* (E) Expires with December 31, 1970.		
* Addition) o Increase) o Reduction) Δ Change, neither increase) nor reduction)	Decision No.	76410
EFFECTIVE		
Correction 607	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA	

MINIMUM RATE TARIFF 5

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM																														
EXCEPTIONS TO THE GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF																															
Item canceled. Governing Classification ratings apply.	o 270																														
<p>Sugar, in bags--Estimated Weight:</p> <p>The billing weight of shipments of Sugar in bags will be arrived at by adding to the actual weight of the Sugar the following estimated weight for the bags:</p> <p>For each bag containing:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">100 lbs. in bulk, except as otherwise shown below-----</td> <td style="width: 10%;">1/2</td> <td style="width: 10%;">lb.</td> </tr> <tr> <td>100 lbs. in bulk, in 5-ply or 6-ply multiple-wall paper bags-----</td> <td>1</td> <td>lb.</td> </tr> <tr> <td>100 lbs. in bulk, in paper-lined cotton bag-----</td> <td>1/2</td> <td>lb.</td> </tr> <tr> <td>100 lbs. in bulk, in paper-lined jute or burlap bags-----</td> <td>1/2</td> <td>lb.</td> </tr> <tr> <td>100 lbs. in bulk, in cotton bags (Osnaburg)-----</td> <td>1/2</td> <td>lb.</td> </tr> <tr> <td>100 lbs. in bulk, in cotton bags (not exceeding 8 oz.)-----</td> <td>1/2</td> <td>lb.</td> </tr> <tr> <td>30-2 lb. bags-----</td> <td>1</td> <td>lb.</td> </tr> <tr> <td>12-5 lb. bags-----</td> <td>1</td> <td>lb.</td> </tr> <tr> <td>6-10 lb. paper bags-----</td> <td>1</td> <td>lb.</td> </tr> <tr> <td>6-10 lb. cloth bags, covered by 5-ply paper-----</td> <td>1 1/2</td> <td>lb.</td> </tr> </table>	100 lbs. in bulk, except as otherwise shown below-----	1/2	lb.	100 lbs. in bulk, in 5-ply or 6-ply multiple-wall paper bags-----	1	lb.	100 lbs. in bulk, in paper-lined cotton bag-----	1/2	lb.	100 lbs. in bulk, in paper-lined jute or burlap bags-----	1/2	lb.	100 lbs. in bulk, in cotton bags (Osnaburg)-----	1/2	lb.	100 lbs. in bulk, in cotton bags (not exceeding 8 oz.)-----	1/2	lb.	30-2 lb. bags-----	1	lb.	12-5 lb. bags-----	1	lb.	6-10 lb. paper bags-----	1	lb.	6-10 lb. cloth bags, covered by 5-ply paper-----	1 1/2	lb.	274
100 lbs. in bulk, except as otherwise shown below-----	1/2	lb.																													
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6-10 lb. cloth bags, covered by 5-ply paper-----	1 1/2	lb.																													
Items canceled. Governing Classification ratings and minimum weights apply.	o 278 oo 280 Δ 290																														
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