

ORIGINAL

Decision No. 77086

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 the City and County of )  
San Francisco, and the Counties of )  
Alameda, Contra Costa, Lake, Marin, )  
Mendocino, Monterey, Napa, San Benito, )  
San Mateo, Santa Clara, Santa Cruz, )  
Solano and Sonoma. )

Case No. 5441  
(Petition for Modification  
No. 189)  
(Filed March 9, 1970)

OPINION AND ORDER

Minimum Rate Tariffs 1-B and 19 respectively set forth, among other things, minimum rates for the transportation of pool car shipments by carriers within the East Bay and San Francisco Drayage Areas. By this petition, California Trucking Association seeks to cancel the charge in these tariffs of \$2.50 per 100 pounds, minimum charge \$3.80 per component part, for unloading and/or segregating pool shipments of furniture and furniture parts including transportation and certain accessorial services incidental thereto.<sup>1</sup> Petitioner requests 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, including relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code.

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<sup>1</sup> The charges in question are set forth in Paragraphs 2(a) of Items 280 and 220 of Minimum Rate Tariffs 1-B and 19, respectively.

Petitioner alleges that the amount of pool shipment traffic, which is subject to the minimum rates named in the Commission minimum rate tariffs, has substantially diminished. Petitioner states that interested shippers and carriers of furniture have been reviewing the subject tariffs to remove tariff provisions which are no longer appropriate in the absence of substantial usage and that the sought cancellation of pool shipment charges is a result of such review.

Petitioner avers that, upon cancellation of the pool shipment charges as proposed, pool shipments of furniture would move on the same basis as pool shipments of other commodities; i.e., an unloading and segregating charge plus a transportation charge based upon the size of shipment and length of haul would be applied to such transportation. Petitioner declares that the proposed changes are in the interest of both shippers and carriers and that it is aware of no opposition to its proposal.

Copies of the petition were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about March 6, 1970. The petition was listed on the Commission's Daily Calendar of March 10, 1970. No objection to the granting of the petition has been received.

The Transportation Division staff has reviewed the petition and recommends that it be granted by ex parte order.

In the circumstances, it appears, and the Commission finds, that the proposed cancellation of pool shipment charges is reasonable, 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 necessary tariff amendment to Minimum Rate Tariff 1-B should be made by the order herein and that Minimum Rate Tariff 19 should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff 1-B (Appendix B of Decision No. 65834, as amended) is hereby further amended by incorporating therein to become effective May 23, 1970, Seventh Revised Page 26 attached hereto and by this reference made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 65834, as amended, are hereby directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered herein.

3. 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 such tariff publications shall be made effective not later than May 23, 1970; and tariff publications which are authorized but not required to be made by common carriers as a result of the order herein 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 page incorporated in this order.

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

5. In all other respects Decision No. 65834, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 14<sup>th</sup> day of April, 1970.

William Sproull, Jr.  
President

Augusta

[Signature]

Vernon L. Stinson  
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES (Continued)

ITEM

POOL SHIPMENTS  
 (Items 280, 281 and 282)

Pool shipments as described in Item 11 shall be subject to rates and charges as follows for the services designated, viz.:

1. Unloading and/or segregating (does not include transportation).

Articles for which rates are not otherwise specified in this item.

(1) Class rates in cents per 100 pounds

100	92½	85	77½	70	65	70	55	50	45	40	37½	35
45	43	41	39	36	35	33	31	30	29½	28½	28	(2) 27½

(1) Minimum Charge 160 cents per component part.

(2) Applies on articles rated Class 35 or lower.

Commodity Rates in Cents  
 per 100 Pounds  
 Minimum Charge 160 Cents  
 per component part

#280

Games or Toys, as described under the heading "Games or Toys Group,"

and

Bicycles, K.D., as described in Items 188590 and 188610 series,

and

Vehicles, other than self-propelled, K.D., as described in Items 188690, 188780, 189000, 189180, 189440, 189780, 189820, and 189960 series, in the Governing Classification-----

63

§2. Pool Shipments of Furniture or Furniture Parts as described under the headings "Furniture Group" and "Furniture Parts Group" in the Governing Classification shall be charged as follows:

(a) \*\*

(b) Unloading and/or segregating including all accessorial services except those governed by paragraphs 3(g) and 3(h) of Item 281, \$1.30 per 100 pounds, minimum charge \$2.50 per component part.

(Continued in Item 281)

§ Change )  
 \*\* Pool shipment charges ) Decision No. 77086  
 eliminated )

EFFECTIVE

Correction 266

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