

ORIGINAL

Decision No. 77528

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 and highway carriers relating to the transportation of any and all commodities 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).

Case No. 5432
Order Setting Hearing
Decision No. 75197
of
January 14, 1969

SUPPLEMENTAL OPINION AND ORDER

The transportation of Wood Chips and Wood Shavings in bulk for certain commercial purposes and Sawmill Refuse for use as fuel was exempted from the provisions of the Commission's Minimum Rate Tariff No. 2 by Decisions Nos. 61338, 68542 and 73630, respectively. These exemptions are tentative and provisional and are all due to expire on August 1, 1970.

In its orders which exempted the transportation of Wood Chips and Wood Shavings from the purview of the tariff, the Commission assigned its Transportation Division staff to make cost and rate studies which will make available evidence necessary to the determination and establishment of minimum rates at reasonable levels for this transportation. Similarly, with the establishment of the exemption for Sawmill Refuse, the Commission took cognizance of the staff's intention to conduct studies of this traffic.

Pursuant to Order Setting Hearing in Decision No. 75197 hearings have been held for the receipt of evidence looking to the establishment of minimum rates on Wood Shavings, Sawmill Refuse and

Wood Chips, an Examiner's Proposed Report has been issued, and Exceptions and Replies thereto have been filed. A decision thereon cannot be rendered prior to the scheduled expiration date of the temporary exemptions of August 1, 1970.

Therefore, the Commission concludes that the temporary exemptions now scheduled to expire on August 1, 1970 should be extended to May 1, 1971, or until the further order of the Commission.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix "D" of Decision No. 31606, as amended) is hereby further amended by incorporating therein, to become effective August 1, 1970, Fifteenth Revised Page 15-A attached hereto and 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 made effective on not less than one day's notice to the Commission and to the public and such tariff publications shall be made effective not later than August 1, 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 on not less than one day's 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.

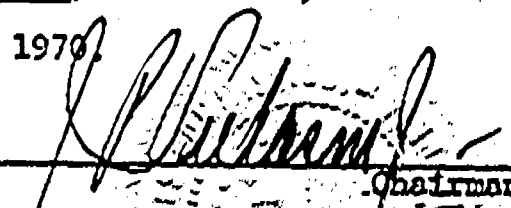
3. Common carriers, in establishing and maintaining the provision authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the provision

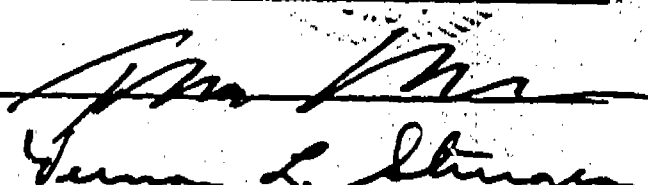
published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

4. In all other respects, Decision No. 31606, as amended, shall remain in full force and effect.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this
21st day of JULY, 1970.


Chairman


Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES OF GENERAL APPLICATION (Continued)

ITEM

APPLICATION OF TARIFF-COMMODITIES (Concluded)
(Items 40, 41 and 42)

Shipments weighing 10 pounds or less when transported by carriers which operate no vehicles exceeding a licensed weight of 4,000 pounds (Subject to Note 12),

Sulphur,

Trailer coaches and campers set up, (including contents and furniture and other personal effects for use outside of trailer coaches) for which rates are provided in Minimum Rate Tariff 18,

United States mail transported for the Post Office Department under contract,

Used Property, viz.: household goods, personal effects, furniture, musical instruments, radios, and office and store fixtures and equipment, as described in and for which rates are provided in Minimum Rate Tariff 4-B, and used property as described therein of state, county or municipal governments, or transported under an agreement whereby the governments contracted for the carrier's services,

Vegetables, fresh or green, including mushrooms, fresh (not cold pack or frozen),

Vegetables, which are placed in a preservative and are destined to a cannery for processing into a preserved or pickled vegetable,

Vegetables, dried, viz.: Beans (except Mesquite), Lentils, Onions, Peas (except Cow Peas), Pepper Pods,

Voting Booths, Ballot Boxes, Election Tents and Election Supplies, when transported from or to polling places.

NOTE 1.--Includes only used empty carriers which are returning from an outbound paying load of traffic for which rates are not provided in this tariff, or which are being forwarded for a return paying load of traffic for which rates are not provided in this tariff (Subject to Item 80 of the Exception Ratings Tariff).

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NOTE 2.--Exemption applies only when commodities flagged subject to this note are shipped in milk shipping cans, in bottles in cases or crates, or in bulk in tanks.

NOTE 3.--Exemption applies only when the distance between point of origin and destination does not exceed 35 miles, computed in accordance with the provisions of Item 100.

NOTE 4.--Exemption applies only as to dried fruit in the natural state and which has not been cleaned, washed, stemmed or otherwise prepared or partially prepared for human consumption.

NOTE 5.--Exemption applies only when shipper certifies on the shipping document covering the transportation that the shells or Shell Marl are being shipped for use as a fertilizer.

NOTE 11.--Exemption applies only to transportation between points within a radius of 25 miles of the intersection of 1st and Main Streets, Los Angeles, said mileage to be computed in accordance with the provisions of Item 100.

NOTE 12.--Exemption applies only to transportation between points located within the Los Angeles Basin Territory as described in Item 270.

NOTE 13.--Exemption expires with May 1, 1971.

NOTE 14.--Exemption applies only to shavings or sawdust to be utilized in the production of particleboard, flakeboard, hardboard, pulpboard or woodpulp.

NOTE 15.--The portion of this exemption preceded by # expires with December 31, 1970.

NOTE 16.--Exemption applies only between points within Southern Territory, as described in Item 80 of Minimum Rate Tariff 10, and expires with October 13, 1970.

Change, Decision No. 77528

EFFECTIVE

Correction 2312

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