

ORIGINAL

Decision No. 77547

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation )  
into the rates, rules, regulations, ) Case No. 5603  
charges, allowances and practices ) (Petition for Modification  
of all common carriers and highway ) No. 87)  
carriers relating to the trans- ) (Filed July 2, 1970)  
portation of uncrated new furniture )  
(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 August 1, 1970, 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 the additional charges for services performed when the point of origin is other than an established depot by 15 cents per 100 pounds on shipments subject to a minimum weight of 500 pounds or less and by 10 cents per 100 pounds on shipments subject to a minimum weight of 2000 pounds and weighing 5000 pounds or less;

- (b) Increasing the charges for accessorial services for driver, helper or other employee from \$4.10 to \$4.60 for the first 30 minutes or fraction thereof and from \$2.05 to \$2.30 for each additional 15 minutes or fraction thereof;
- (c) Increasing the minimum charge per shipment from \$4.60 to \$5.05 when the distance from point of origin to point of destination does not exceed 150 miles and from \$5.60 to \$6.05 when such distance exceeds 150 miles; and
- (d) Increasing the rates for the transportation of the furniture by amounts ranging from 7 to 11 percent depending upon the weights of the shipments and the distances involved.

Petitioner states that the rates and charges were last revised generally December 1, 1969, and that the cost of transporting furniture will be substantially increased on August 1, 1970, 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 11 percent and that the four principal carriers, which transport furniture, experienced operating ratios ranging from 95 to 102.2 percent for the year 1969.

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 July 3, 1970. Furniture Manufacturers Association of California has informed the Commission by letter that it does not oppose the ex parte handling of this matter. No objection to the granting of the petition has been received.

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

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 September 1, 1970, the revised pages attached hereto and listed in Appendix A 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 fifth day after the effective date of this order on not less than five days' notice to the Commission and to the public and shall be made effective not later than September 1, 1970.

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

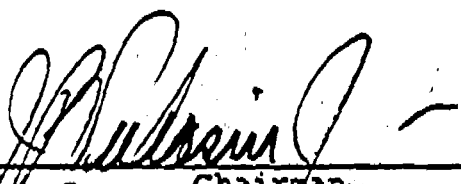



transportation not subject to Minimum Rate Tariff No. 11-A are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff No. 11-A rates herein.

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 San Francisco, California, this 28<sup>th</sup> day of July, 1970.

  
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Chairman  
  
\_\_\_\_\_  
William J. Sullivan  
  
\_\_\_\_\_  
Mark L. Sturgeon  
  
\_\_\_\_\_  
Vernon L. Sturgeon  
Commissioners

APPENDIX A TO DECISION NO. 77547

LIST OF REVISED PAGES TO MINIMUM RATE TARIFF 11-A

AUTHORIZED BY SAID DECISION

SIXTEENTH REVISED PAGE 6

FIFTEENTH REVISED PAGE 7

EIGHTEENTH REVISED PAGE 15

SIXTH REVISED PAGE 15-A

SIXTEENTH REVISED PAGE 16

(END OF APPENDIX A LIST)

SECTION 1--RULES AND REGULATIONS (Continued)		ITEM												
<p style="text-align: center;"><b>APPLICATION OF RATES</b></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>0Rates in Cents Per 100 Pounds</u></td></tr><tr><td>Any Quantity-----</td><td>185</td></tr><tr><td>500 Pounds-----</td><td>150</td></tr><tr><td>2,000 Pounds-----</td><td>120</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>0Rates in Cents Per 100 Pounds</u>	Any Quantity-----	185	500 Pounds-----	150	2,000 Pounds-----	120	660				
<u>Minimum Weight</u>	<u>0Rates in Cents Per 100 Pounds</u>													
Any Quantity-----	185													
500 Pounds-----	150													
2,000 Pounds-----	120													
<p style="text-align: center;"><b>ACCESSORIAL SERVICES</b></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;"><b>DELAYS TO EQUIPMENT</b></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;"><b>CHARGES FOR ACCESSORIAL SERVICES OR DELAYS</b></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>0460</td><td>0230</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-----	0460	0230	(b) For unit of equipment-----	90	45	90
	<u>Charges in Cents</u>													
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(a) For driver, helper or other employee, per man-----	0460	0230												
(b) For unit of equipment-----	90	45												
♂ Change     ) ♀ Increase   )   Decision No. <b>77547</b>														
<p style="text-align: right;"><b>EFFECTIVE</b></p>														
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</p>														
Correction 107														

SECTION 1--RULES AND REGULATIONS (Continued)	ITEM
<p style="text-align: center;"><b>MINIMUM CHARGE</b></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) 0505 cents per shipment when the constructive distance from point of origin to destination does not exceed 150 miles.</p> <p>(b) 0605 cents per shipment when the constructive distance from point of origin to destination exceeds 150 miles.</p>	<p style="text-align: center;">100</p>
<p style="text-align: center;"><b>SHIPMENTS TRANSPORTED BY TWO OR MORE CARRIERS</b></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>	<p style="text-align: center;">110</p>
<p style="text-align: center;"><b>SHIPMENTS TO BE RATED SEPARATELY</b></p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the carrier.</p>	<p style="text-align: center;">120</p>
<p style="text-align: center;"><b>ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</b></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 (which-over is the higher) applicable in connection with the common carrier rate shall be used.</p>	<p style="text-align: center;">130</p>
<p style="text-align: center;"><b>ACCESSORIAL CHARGES NOT TO BE OFFSET BY TRANSPORTATION CHARGES</b></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>	<p style="text-align: center;">135</p>
<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="margin-right: 20px;"> <p>o Change )</p> <p>o Increase )</p> </div> <div> <p>Decision No. <b>77547</b></p> </div> </div>	
EFFECTIVE	
<div style="display: flex; justify-content: space-between;"> <p>Correction 108</p> <p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</p> </div>	

## SECTION 3--RATES

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)
0	5	316	272	220	189	174	150
5	10	326	280	230	198	184	158
10	15	336	289	240	206	194	167
15	20	346	298	250	215	204	175
20	25	356	306	260	224	214	184
25	30	366	315	270	232	224	193
30	35	376	323	280	241	234	201
35	40	386	332	290	249	244	210
40	45	396	341	300	258	254	218
45	50	406	349	310	267	264	227
50	60	420	361	324	279	278	239
60	70	434	373	338	291	292	251
70	80	448	385	352	303	306	263
80	90	462	397	366	315	320	275
90	100	476	409	380	327	334	287
100	110	489	421	393	338	347	298
110	120	502	432	406	349	360	310
120	130	515	443	419	360	373	321
130	140	528	454	432	372	386	332
140	150	541	465	445	383	399	343
150	160	551	474	455	391	409	352
160	170	561	482	465	400	419	360
170	180	571	491	475	409	429	369
180	190	581	500	485	417	439	378
190	200	591	508	495	426	449	386

0400

(Continued in Item 405)

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 6)

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)

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)

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.--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.

◇ Increase, Decision No. 77547

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Correction 109

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SAN FRANCISCO, CALIFORNIA.



## SECTION 3--RATES (Continued)

ITEM

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

MILES		Any Quantity		Minimum Weight 500 Pounds		Minimum Weight 2,000 Pounds	
Over	But Not Over	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	607	522	511	439	465	400
220	240	623	536	527	453	481	414
240	260	639	550	543	467	497	427
260	280	655	563	559	481	513	441
280	300	671	577	575	495	529	455
300	325	691	594	595	512	549	472
325	350	711	611	615	529	569	489
350	375	731	629	635	546	589	507
375	400	751	646	655	563	609	524
400	425	771	663	675	581	629	541
425	450	791	680	695	598	649	558
450	475	811	697	715	615	669	575
475	500	831	715	735	632	689	593
500	525	851	732	755	649	709	610
525	550	871	749	775	667	729	627
550	575	891	766	795	684	749	644
575	600	911	783	815	701	769	661
600	625	931	801	835	718	789	679
625	650	951	818	855	735	809	696
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: 20 cents per 100 pounds  
Column B: 17 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, Decision No. 77547

EFFECTIVE

Correction 110

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)
	751	646	655	563	609	524

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.--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.

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)

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)

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)

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.

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.

0410

◇ Increase, Decision No. 77547

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Correction 111

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