

ORIGINAL

Decision No. 77979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)	Case No. 7858
for the purpose of considering and)	(Petition for Modification
determining revisions in or reissues)	No. 80)
of Exception Ratings Tariff No. 1)	(Filed July 30, 1970)
)	(Amended October 9 and
)	October 15, 1970)

OPINION AND ORDER

The Commission's Exception Ratings Tariff No. 1 (ERT 1) contains, in Sections 2-B and 2-C thereof, various interim exception ratings which apply in lieu of those named in National Motor Freight Classification A-11, and govern various minimum rate tariffs making specific reference thereto. These exception ratings are subject to an expiration date of December 31, 1970. By the above petition, as amended, California Trucking Association requests that the expiration date be extended to December 31, 1971, in connection with some of the involved ratings.

Petitioner seeks to extend the expiration date governing the exception ratings in Section 2-B of ERT 1 on commodities that move in sufficient volume and are of a nature which justify temporary retention thereof. The involved ratings include, where appropriate, revision of the minimum weights to reflect California loadings. Petitioner also proposes to extend the expiration date governing the exception ratings in Section 2-C of ERT 1 on those items on which proposals have been submitted to the National Classification Board but not yet disposed of by that board.

¹ Minimum Rate Tariffs Nos. 1-B, 2, 5, 9-B and 19.

² The proposed expiration date would govern the ratings set forth in Revised Exhibits A and B of First Amendment to the petition as further amended by Second Amendment thereto.

Petitioner states that the ratings in Section 2-B of ERT 1 are the "old rail-oriented B, C, D and E" ratings which applied prior to the adoption of the truck-oriented classification and that the ratings in Section 2-C thereof represent items which are or were pending before the National Classification Board. Petitioner alleges that these ratings were retained on an interim basis to (1) minimize the impact of the classification changeover upon shippers; (2) allow the parties adequate time to evaluate and adjust shipping and marketing practices; and (3) permit final disposition of certain items pending before the National Classification Board.

Petitioner avers that a survey was conducted for the purpose of determining (1) whether the shipper originally requesting retention of a particular exception rating in Section 2-B still wished it retained; and (2) if so, what were some of the characteristics and conditions of transportation which would support continuance of the rating for an additional period beyond December 31, 1970. Petitioner declares that its proposal reflects the results of this survey and would provide interested parties with adequate time to dispose of the exception ratings that are to be retained.

Copies of the petitions and amendments thereto were mailed to various chambers of commerce, shipper organizations, carrier representatives and other interested parties on or about July 29, October 8 and 14, 1970. The petition and amendments were listed on the Commission's Daily Calendar of July 31, October 13 and 16, 1970. No objection to the granting of the petition, as amended, has been received.

Commission staff analysis of petitioner's proposal discloses that certain exception ratings, which move little or no traffic or are no longer required, will be allowed to expire on December 31, 1970. The remaining exception ratings would continue in effect for another year and the minimum weights governing certain of the commodities in question would be increased to reflect more adequately the carrying capacities of the carriers' equipment. Extension of the expiration date, as proposed, would afford interested parties with sufficient time to deal with the remaining exception ratings. The staff recommends that the petition, as amended, be granted by ex parte order.

In the circumstances, it appears, and the Commission finds, that extension of the expiration date governing the exception ratings in question is reasonable and increases in the minimum rates and charges, which may result on the expiration date of such exception ratings, are justified. A public hearing is not necessary. The Commission concludes that the petition, as amended, should be granted.

IT IS ORDERED that:

1. Exception Ratings Tariff No. 1 (Appendix A to Decision No. 66195, as amended) is further amended by incorporating therein, to become effective January 1, 1971, 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. 66195, as amended, be and they are hereby directed to establish in their tariffs the amendments necessary to conform with the further adjustment 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 January 1, 1971; 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 pages incorporated in this order.

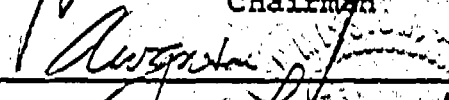
4. Common carriers, in establishing and maintaining the ratings authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the ratings published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

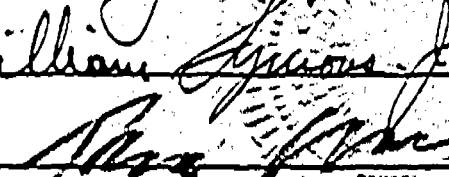
5. In all other respects, Decision No. 66195, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 24th day of November, 1970.



Chairman


William Lyons


Vernon L. Sturgeon

Commissioners

APPENDIX A TO DECISION NO. 77979

LIST OF REVISED PAGES TO EXCEPTION RATINGS
TARIFF 1 AUTHORIZED BY SAID DECISION

FIFTH REVISED PAGE 27-E

EIGHTH REVISED PAGE 27-F

FOURTH REVISED PAGE 27-G

SIXTH REVISED PAGE 27-U

THIRD REVISED PAGE 27-V

THIRD REVISED PAGE 27-W

(END OF APPENDIX A LIST)

SECTION 2-B--TRUCKLOAD CLASSES (RATINGS) AND MINIMUM WEIGHTS WHICH ARE EXCEPTIONS TO THE GC						ITEM
ARTICLES as described in the following items of the Governing Classification, viz.:						
ITEM	TL RATING	TL MINIMUM WEIGHT	ITEM	TL RATING	TL MINIMUM WEIGHT	
4620			**			
Sub 3	(35	40,000	**			
**	(35.1	45,000	**			
**			**			
14990	35.2	40,000	42140	35.2	40,000	
**			42160			
*21560	35.2	40,000	**			
**			Sub 2	35.2	40,000	
**			42180	35.2	50,000	
**			42450			
**			**			
			**			
32100			Sub 3	35.3	40,000	
Sub 1	35.4	40,000	42480	35.3	40,000	
Sub 3	35.4	40,000	42910			
32130	35.4	40,000	Sub 1	35.2	40,000	
32150	35.1	40,000	Sub 2	35.2	40,000	
32220	35.2	40,000	**			
32240	35.4	40,000	**			
32280			**			
Sub 1	35.2	40,000	**			
Sub 2	35.2	40,000	**			
Sub 3	35.2	40,000	**			
32330	35.4	40,000	**			
**						
32600			45130	35.2	40,000	
Sub 3	35.1	40,000	**			
**			**			
32670	35.4	40,000	46410			
**			Sub 2	35.2	40,000	
**			**			
**			48115	35.4	40,000	
**			**			
**			48140	35.4	40,000	
**			48150	35.4	40,000	
**			48160	35.4	40,000	
35240	35.2	40,000	48170	35.2	40,000	
**			**			
**			48210	35.2	40,000	
37780	35.1	40,000	48250	35.2	40,000	
38040	35.1	40,000	**			
**			**			
**			**			
			48350	35.1	50,000	
			48360	35.3	50,000	

(E) 1030

(E) Expires with December 31, 1971.

◊ Change)
 ◊ Increase)
 * Addition) Decision No. **77979**
 ** Eliminated)

EFFECTIVE

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

Correction

SECTION 2-B--TRUCKLOAD CLASSES (RATINGS) AND MINIMUM WEIGHTS WHICH ARE EXCEPTIONS TO THE GC						ITEM
ARTICLES as described in the following items of the Governing Classification, viz.:						
ITEM	TL RATING	TL MINIMUM WEIGHT	ITEM	TL RATING	TL MINIMUM WEIGHT	
**			667700	35.1	40,000	
**			667710	35.1	40,000	
**			**			
648420			**			
Sub 1	35.4	50,000	**			
Sub 2	35.2	40,000	86600	35.3	50,000	
**			**			
**			**			
**			**			
**			**			
**			90160	35.4	40,000	
**			**			
**			**			
**			90210	35.3	60,000	
**			90220	35.4	40,000	
**			**			
**			**			
**			**			
**			90300	35.4	40,000	
650540			**			
Sub 1	35.3	40,000	90360	35.4	50,000	
Sub 2	35.3	40,000	90380	35.4	50,000	
*50560	35.4	40,000	90400			
**			Sub 1	35.2	40,000	
**			Sub 2	35.2	40,000	
650610	35.4	40,000	**			
650620	35.3	40,000	**			
**			**			
650700			**			
Sub 5	35.4	40,000	**			
Sub 6	35.3	40,000	**			
Sub 7	35.4	40,000	90630	35.4	50,000	
650930	35.2	40,000	90650	35.4	50,000	
651010	35.2	40,000	**			
56320	35.1	40,000	**			
57520	35.2	60,000	**			
**			**			
60000	35.2	40,000	90740	35.2	40,000	
667060	35.1	40,000	**			
			91870	35.4	40,000	
			91890	35.2	40,000	
			91930	35.4	40,000	
			91950			
			Sub 1	35.2	40,000	
			Sub 2	35.2	40,000	
			91960			

6(E)
1040

6(E) Expires with December 31, 1971.
 6 Change)
 * Addition) Decision No. 77979
 ** Eliminated)

EFFECTIVE

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

SECTION 2-B--TRUCKLOAD CLASSES (RATINGS) AND MINIMUM WEIGHTS WHICH ARE EXCEPTIONS TO THE GC						ITEM
ARTICLES as described in the following items of the Governing Classification, viz.:						
ITEM	TL RATING	TL MINIMUM WEIGHT	ITEM	TL RATING	TL MINIMUM WEIGHT	
91970	35.2	40,000	133520	35.2	40,000	
**			**			
**			**			
**			§151390			
**			Sub 7	35.2	40,000	
**			**			
**			**			
105900	35.3	50,000	**			
**			**			
**			**			
**			**			
**			**			
§112320	35.1	40,000	**			
§112360	35.1	40,000	**			
**			169690	35.4	60,000	§(E) 1050
**			169710	35.4	60,000	
**			**			
**			**			
**			170590	35.3	40,000	
**			**			
**			**			
**			**			
**			**			
**			§182360	35.2	40,000	
**			§182420	35.2	40,000	
**			**			
§113200			§182620	35.3	40,000	
Sub 1	35.4	40,000	**			
Sub 2	35.4	40,000	**			
Sub 3	35.4	40,000	**			
Sub 4	35.4	40,000	**			
Sub 5	35.4	40,000	**			
Sub 6	35.4	40,000	**			
Sub 7	35.4	40,000	**			
**			**			
**			**			
**			**			
**			**			
**			**			

§(E) Expires with December 31, 1971.
 § Change)
 ◊ Increase) Decision No. **77979**
 ** Eliminated)

EFFECTIVE

Correction

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

EXCEPTION RATINGS TARIFF 1

SECTION 2-C--RATINGS WHICH ARE INTERIM EXCEPTIONS TO RATINGS IN THE GOVERNING CLASSIFICATION (APPLIES ONLY IN CONNECTION WITH MINIMUM RATE TARIFFS 1-B, 2, 5, 9-B and 19)

ITEM

(1) ACIDS as described in the following items of the Governing Classification, viz.:

Item	Rating		Truckload Minimum Weight in pounds	Item	Rating		Truckload Minimum Weight in pounds	⊆(E) 1200
	LTL	TL			LTL	TL		
3060	70			**				
4120								
Sub 1	100	35	30,000					
Sub 2		35	30,000					
Sub 3	55			4540				
4320				Sub 1	100	35	30,000	
Sub 3	70			Sub 2		35	30,000	
				Sub 3	55			

⊆ (E) Expires with December 31, 1971.

(1) For classes dependent upon agreed or released value applicable in connection with items of the G.C. listed herein, which make reference to Item 2082 of the G.C., see Item 60000 of the G.C.

⊆ Change)
 ** Eliminated) Decision No. 77979

EFFECTIVE

Correction

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

SECTION 2-C--RATINGS WHICH ARE INTERIM EXCEPTIONS TO RATINGS IN THE GOVERNING CLASSIFICATION (APPLIES ONLY IN CONNECTION WITH MINIMUM RATE TARIFFS 1-B, 2, 5, 9-B AND 19)							ITEM
(1)CHEMICALS GROUP as described in the following items of the Governing Classification, viz.:							
Item	Rating		Truckload Minimum Weight in pounds	Item	Rating		Truckload Minimum Weight in pounds
	LLL	TL			LLL	TL	
42610				**			
Sub 2	70	45	30,000	43940			
Sub 3		70	30,000	Sub 2		45	30,000
42630				43960			
Sub 2	100	45	30,000	Sub 4	70		
42640				43970			
Sub 1		70	30,000	Sub 1	70		
Sub 2	85	35	30,000	43980			
42680				Sub 1	150	100	12,000
42690				Sub 2	100	70	30,000
Sub 1	70			44240	85		
Sub 2	85			44250			
Sub 3		35	30,000	Sub 1		70	30,000
42920				Sub 2	70		
Sub 1	55			44440			
Sub 2	70			Sub 2		70	30,000
Sub 3		45	30,000	44590	55		
42940				44610			
Sub 1	85			Sub 2	85	70	36,000
Sub 2	55			Sub 3		55	36,000
42960				44630	85	45	30,000
Sub 1	85	55	30,000	45250			
Sub 2	100	70	30,000	Sub 1	70		
42990				Sub 2		70	30,000
Sub 1	85	35	36,000	Sub 3	85	35	30,000
Sub 2	55	35	36,000	45900	70		
43010				45910	55		
Sub 1	100	70	30,000	45920	85		
Sub 2	85	55	30,000	46030	70		
43055				46095	70		
43060				46130	85	45	30,000
43070	70	45	36,000	**			
**				**			
43100				**			
Sub 1	70			46600	70		
Sub 2	55			46970			
43160				Sub 1	70		
Sub 1		70	30,000	Sub 2	85		
Sub 2	85			46990			
Sub 3	70			Sub 1		35	36,000
43270	55			47380	70		
43450				47390	70		
Sub 1	85						
43700	55						
43710	55						

6(E)
1320

6(E) This item expires with December 31, 1971.
 (1) For classes dependent upon agreed or released value applicable in connection with items of the G.C. listed herein, which make reference to Item 42602 of the G.C., see Item 60000 of the G.C.

6 Change }
 ** Eliminated } Decision No. **77979**

EFFECTIVE

Correction

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

EXCEPTION RATINGS TARIFF 1

SECTION 2-C--RATINGS WHICH ARE INTERIM EXCEPTIONS TO RATINGS IN THE GOVERNING CLASSIFICATION (APPLIES ONLY IN CONNECTION WITH MINIMUM RATE TARIFFS 1-B, 2, 5, 9-B and 19)

ITEM

PAPER ARTICLES GROUP as described in the following items of the Governing Classification, viz.:

Item	Rating		Truckload Minimum Weight in pounds	Item	Rating		Truckload Minimum Weight in pounds
	LTL	TL			LTL	TL	
152180	70		36,000	**			24,000 24,000
152340	85	55		153280			
**				Sub 1	70		
**				Sub 3	85	55	
				153800		45	

§(E)
1640

Item Cancelled.

**
1660

§(E) This item expires with December 31, 1971.

§ Change)
** Eliminated) Decision No. 77979

EFFECTIVE

Correction

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