

Decision No. 78070

ORIGINAL

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)	Case No. 5435
of all common carriers, highway)	(Petition for Modification
carriers and city carriers relating)	No. 167)
to the transportation of property)	(Filed November 18, 1970)
in Los Angeles and Orange Counties)	
(transportation for which rates are)	
provided in Minimum Rate Tariff No. 5).)	

SUPPLEMENTAL OPINION AND ORDER

Decision No. 78069 entered today in Case No. 5432 (Petition for Modification No. 609) et al., authorized amendment of Minimum Rate Tariffs Nos. 1-B, 2, 5, 9-B and 19 and Exception Ratings Tariff No. 1 in connection with certain exception ratings and rules by extending the governing expiration date from December 31, 1970, to June 30 or December 31, 1971. 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" of Decision No. 32504, as amended) is hereby further amended by incorporating therein to become effective January 1, 1971, Twelfth Revised Page 13-A and Fourteenth Revised Page 22-A 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 to Decision No. 32504, as amended, are hereby directed to establish in their tariffs the amendments 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 second day after the effective date of this order on not less than two days' notice to the Commission and to the public; 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 second day after the effective date of this order and may be made effective on not less than two 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 amendments 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 amendments 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. 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 8th day of December, 1970.

Chairman
Argatai

William J. Vukasin, Jr.

Tom Vukasin

Vernon L. Sturgeon
Commissioners

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

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF TARIFF--COMMODITIES (Concluded) (Items 40 and 41)</p> <p>Rates in this tariff apply for the transportation of all commodities except the following:</p> <ul style="list-style-type: none"> Houses which have been disengaged from their foundations, or sections thereof and integral parts or contents when the contents are transported within the houses, Jewelry transported from or to wholesale houses in packages weighing 10 pounds or less, Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles. #The terms "tank trucks, tank trailers and tank semi-trailers" include any truck, trailer or semi-trailer with carrier or shipper provided collapsible tanks or bags 20 feet or more in length, 2,000 gallons or more in capacity and 20,000 pounds or more in weight carrying capacity (Subject to Note), Livestock, Milk, in milk shipping cans or in bottles in cases or crates, Motor vehicles when towed by a tow car, Mushrooms, fresh (not cold pack nor frozen), Newspapers; newspaper supplements, sections or inserts (not scrap nor waste), Nuts, in the shell, Nuts, field shelled (rough shelled, with or without removal of broken shells, dirt, residue, or foreign material, and not cleaned nor further processed), Optical goods transported from or to wholesale houses in packages weighing 10 pounds or less, Poultry, live, Property of the United States, or property transported under an agreement whereby the United States contracted for the carrier's services, Property transported to a United States Post Office for mailing and United States mail transported from a post office to the addressee thereof, Property shipped to or from producers of motion pictures or television shows when transported subject to the rates, rules and regulations provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended, Property which is exempt from regulation by the Interstate Commerce Commission under Section 203(b) (6) and 203(b) (8) of the Interstate Commerce Act, Shipments weighing 10 pounds or less when transported by carriers which operate no vehicles exceeding a licensed weight of 4,000 pounds, 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, Used Property, viz.: Household goods, 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 (not cold pack nor frozen), Voting booths, ballot boxes, election tents and election supplies when transported from or to polling places. <p>¶ NOTE.--The portion of this exemption preceded by # expires with December 31, 1971.</p>	<p>641</p>
<p>¶ Change, Decision No. 78070</p>	
<p>EFFECTIVE</p>	
<p>Correction</p>	<p>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
Compounds, Tree and Weed Killing, NOI, in packages (50320) Less truckload-----	55	(EE) *224
Confectionery, viz.: (See Note 1) Candy fondant (candy filler), confectionery paste or powder, NOI, or icing paste (39940) (39942) Candy or confectionery, NOI, or chocolate candy or confectionery, including milk chocolate candy or confectionery (39970) (39974) (see Note 2) Chocolate (39990) Chocolate coating (40000) Coating, candy, other than chocolate (40010) Cocoa or cocoa paste (72520) (72522) Cocoa butter (72540) Cough drops or tablets, NOI (58730) Gum, chewing (40040) Ice cream coating, NOI (40050) Icing powder (40060) (40062) Licorice compound, penny pieces (40080) Nuts, edible, shelled, plain, salted or sweetened (141660) (141760) (141780) (141820) Roasted corn kernels, whole, not popped, dry, salted or not salted Less truckload-----	55	224.5
NOTE 1.--The rating set forth in this item is subject to a released value of 75 cents or less per pound for each article. NOTE 2.--Not subject to the notes set forth under Items 39976 and 39978 of the Governing Classification.		
Dough, prepared, other than frozen, whether or not containing other ingredients or an accompanying complement of ingredients or icing or topping (72800), subject to Note: Less truckload-----	70	(E) 225
Flowers, fresh, cut, NOI (71620)-----	100	229
(E) Expires with December 31, 1971. *(EE) Expires with June 30, 1971. * Addition, Decision No. 78070		
EFFECTIVE		
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	