

ORIGINAL

Decision No. 78234

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 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
(Petition for Modification
No. 607)
(Filed November 4, 1970;
Amended November 10, 1970)

In the Matter of the Investigation)
for the purpose of considering and)
determining revisions in or reissues)
of Exception Ratings Tariff No. 1.)

Case No. 7858
(Petition for Modification
No. 86)
(Filed November 4, 1970;
Amended November 10, 1970)

OPINION AND ORDER

By the above petitions, as amended, California Cedar Fire Log Company, Inc., a corporation, seeks to have established in Exception Ratings Tariff No. 1 a truckload exception rating of Class 35.3, minimum weight 45,000 pounds, on fuel wood, fire wood kindling and compressed sawdust logs.

Petitioner states that it is the sales affiliate for by-products produced by California Cedar Products Co. of Stockton, which manufactures pencil slats from the wood of the incense cedar tree, and that the by-products resulting from the manufacture of the pencil slats include the commodities involved herein.

Petitioner alleges that the sought exception rating on the aforementioned commodities is comparable to exception ratings

in Exception Ratings Tariff No. 1 which apply to other commodities having similar or less favorable transportation characteristics such as wood briquettes, charcoal briquettes and charcoal. Petitioner avers that the fuel wood and kindling respectively consist of blocks of wood, which are unsuitable for pencil slats, and defective pencil slats and that these commodities have a density of 24 pounds per cubic foot and a value of 1.8 cents per pound. Petitioner declares that the logs consist of wax and sawdust which have been compressed and that the logs have a density of 42 pounds per cubic foot and a value of 7 cents per pound.

Petitioner concedes that most heavy loading commodities, which are accorded ratings of Class 35.3 or lower, are usually handled by power equipment which minimizes the loading and unloading time and helps to justify low truckload ratings. Petitioner contends that the method of operation for the involved commodities does not permit handling by power equipment and therefore proposes a restriction of 2½ hours free time for loading to insure reasonable dispatch of carrier's equipment and contribute to an efficient operation.

Copies of the petitions and amendments thereto were mailed to California Manufacturers Association and various carrier representatives on or about November 3 and 9, 1970. The petitions and amendments were listed on the Commission's Daily Calendar of November 5 and 12, 1970. No objection to the granting of the petitions, as amended, has been received.

Commission staff analysis indicates that petitioner's proposal would provide for the application of an exception rating on the commodities in question which is lower than the currently applicable classification ratings. A higher minimum weight would

govern the proposed exception rating. Shippers would benefit from the application of lower unit rates by tending larger shipments to the carriers and better utilization of carrier equipment would be obtained. The staff recommends that the petitions, as amended, be granted by ex parte order.

In the circumstances, it appears, and the Commission finds, the petitioner's proposal is reasonable and that the resulting rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation involved, and, to the extent that rates and charges may result in increases, such increases are justified. A public hearing is not necessary. The Commission concludes that the petitions 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 March 6, 1971, Twenty-fifth Revised Page 3, Eighth Revised Page 22 and Original 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 also to Decision No. 66195, 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 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 March 6, 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.

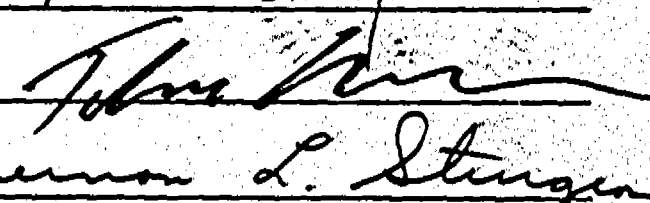
4. Common carriers, in establishing and maintaining the ratings authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such 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.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 2nd day of February, 1971.


Chairman


Vernon L. Stungen

Commissioners

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

INDEX OF COMMODITIES

COMMODITIES	ITEM	COMMODITIES	ITEM
Acids	1200	Kernels, corn, roasted	480
Articles as described in the Governing Classification	1030-1050	Ladders, step	900
Blankets	1800	*Logs, compressed sawdust	600
Boxes	1820	Pads, sanitary	755
Briquettes, wood	180	Paper or Paper Articles	1640, 1840
Cans, ash, garbage, oiled waste, refuse	1680	Returned Shipments	820
Carriers, old (used)	280	Rubber Articles	1660
Carriers, used packages	300,320, 321,340		
Cartons, egg, pulp	270		
Chemicals	1320	Salt, common (Sodium Chloride)	880
Cocoa or Cocoa Paste	480	Shipments, returned	820
Compounds, tree and wood killing	460	Stepladders	900
Confectionery	480	Sugar	940
Fertilizers	540,560, 580	**	
Flowers, fresh, cut	592	Wood Briquettes	180
Furniture	1020	Wood, fuel	600
Furniture and related arti- cles	1000	*Wood, kindling	600

✓ Change)
 * Addition) Decision No.
 ** Eliminated)

78234

EFFECTIVE

Correction 246

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

EXCEPTION RATINGS TARIFF 1

SECTION 2--RATINGS WHICH ARE EXCEPTIONS TO THE GC (Continued)			ITEM
(Numbers within parentheses immediately following commodities shown below refer to such commodities as they are described in the corresponding item numbers of the Governing Classification.)			
ARTICLES	Rating		
	LTL	TL	
Fertilizers, viz.: Ammonia, sulphate of, in packages or in bulk, Ammonium, Sulphate Nitrate (Leunasalpeter), in bags or in bulk, Calcium Nitrate Urea (Calurea), Calcium Carbonate Ammonium Nitrate (Calnitro), Cyanamid, Lime (Calcium), nitrate of, in packages or in bulk, Phosphate of Ammonia, Pomace, olive, in packages or in bulk, Potash, muriate of, in packages or in bulk, Potash, nitrate of, Potash, sulphate of, in packages or in bulk, Pulp, olive, in packages or in bulk, Sodium (Soda), nitrate of, or Chile Saltpetre in packages, or in bulk, Soda Potash, nitrate of, in packages or in bulk, Urea.			580
Flowers, fresh, cut.	100		592
Fuel wood (112580), in bundles wrapped in fibreboard, see Note 1 Kindling, fire, wood (112740), in packages, see Note 1 Logs, compressed sawdust, wax impregnated, paper wrapped, in fibreboard cartons, see Note 1 Minimum Weight 45,000 pounds, subject to Note 2----- NOTE 1.--An allowance of 2½ hours free time for loading shall be made for each unit of equipment used. Excess loading time shall be computed at the rates named in the applicable rate tariff. Time shall be computed from time of arrival of carrier's equipment at loading point until loading is completed and equipment is released. NOTE 2.--If more than one vehicle or combination of vehicles constituting a single unit of carrier's equipment is used for the transportation of a single shipment, each such vehicle or combination of vehicles shall be subject to the highest minimum weight applicable to any rate used in computing charges.		035.3	*600
(1) Items 755 and 820 shown on this page transferred to Original Page 22-A. * Addition) ◊ Increase) Decision No. 78234 ◊ Reduction)			
EFFECTIVE			
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.			
Correction 247			

SECTION 2--RATINGS WHICH ARE EXCEPTIONS TO THE GC (Continued)			(1) ITEM
(Numbers within parentheses immediately following commodities shown below refer to such commodities as they are described in the corresponding item numbers of the Governing Classification.)			755
ARTICLES	Rating		
	LTL	TL	
Pads, sanitary (148960, Sub 1). Any Quantity----- Minimum Weight 5,000 pounds----- Minimum Weight 15,000 pounds, subject to Note----- NOTE.-- Minimum weight applies to each unit of carrier's equipment used in the transportation of a single shipment. A unit of equipment includes any motor truck or other self-propelled highway vehicle, trailer, semi-trailer, or any combination of such highway vehicles operated as a single unit.	150 125	92½	
Returned Shipments, viz.: Articles refused by consignee may be returned to original shipper and to original point of shipment at one-half of the outbound rate (applicable to quantity returned) current at time of return movement, subject to established minimum rate and charge, only upon the following conditions: (a) When actual delivery to consignee has been accomplished, articles for return movement properly identified must be presented to carrier within ten (10) days from date of delivery of the original shipments. (See Note) (b) All charges must be prepaid or guaranteed. Shipping order must show reference to original outbound shipment. (c) Goods must be returned over the same route and line as the original outbound movement. (d) Explosives and Blasting Caps returned to original shipping point under provisions of paragraphs (a), (b) and (c), tendered for return movement under provisions of paragraph (a), but which cannot be accepted until after expiration of 10 days' limit on account of carriers having certain specified days for handling Explosives; such shipments will also be received, and rating protected, on the day assigned for receipt of Explosives next following expiration of the 10 days' time provided in paragraph (a). NOTE.--This paragraph has no application on shipments which do not leave possession of carrier at original billed destination.			(E) 820
(E) Expires with April 30, 1971.			
(1) Items transferred from Seventh Revised Page 22, Decision No. 78234			
EFFECTIVE			
Correction 248			
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA			