

Decision No. 78566

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)
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. 635)
(Filed March 5, 1971)

OPINION AND ORDER

Minimum Rate Tariff No. 2 (MRT 2) names minimum rates and rules for the statewide transportation of general commodities by highway carriers. Certain provisions in MRT 2 do not permit split pickup or split delivery service on C.O.D. shipments or shipments transported on order notify bills of lading and limit the number of components that comprise a split pickup or split delivery shipment.¹ These provisions are scheduled to expire with June 1, 1971. By the above petition, California Trucking Association requests that the Commission extend the expiration date to June 30, 1972. Relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code is also sought.

According to petitioner, the establishment of these provisions evolved from joint shipper-carrier discussions which were held to consider mutually acceptable changes in the rules governing split pickup and split delivery services as alternatives

¹ These provisions are set forth in detail in Items 160 and 170 of MRT 2.

to upward adjustments in tariff charges for such services. Petitioner states that the same basic group of shippers and carriers met to consider the effect such changes have had on their respective interests and what additional changes, if any, were necessary to insure reasonable rules for the services involved. As a result thereof, petitioner avers that the aforementioned group determined that it would be appropriate to continue the present tariff provisions in effect for an additional period of time in order that all parties could more fully evaluate current practices and experiences with the temporary provisions before considering more permanent solutions.

Petitioner alleges that the proposed extension of the expiration date will afford all parties the additional time needed to evaluate the split pickup and split delivery provisions in question and will materially contribute to the development of a permanent solution to the problems involved in performing such services.

Copies of the petition were mailed to various chambers of commerce, shipper organizations, carrier representatives and other interested parties on or about March 5, 1971. The petition was listed on the Commission's Daily Calendar of March 9, 1971. Fibreboard Corporation has informed the Commission by letter that it supports petitioner's proposal. No objection to the granting of the petition has been received.

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

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable and that the

resulting rates and charges will be just, reasonable and non-discriminatory minimum rates and charges for the transportation involved and, to the extent that the proposal results in increases, such increases are justified. A public hearing is not necessary. The Commission concludes that the petition should be granted.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix D to Decision No. 31606, as amended) is further amended by incorporating therein to become effective June 1, 1971, Twenty-seventh Revised Page 20-A and Fourth Revised Page 20-E 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. 31606, 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 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 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. 31606, 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 20th day of April, 1971.

Chairman
William Symons, Jr.
Paul [unclear]
Vernon L. Sturgeon
[Signature]
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;">SPLIT PICKUP (Items 160, 161, 162 and 163)</p> <p>(E) A. Except as otherwise provided, the provisions of this item do not apply to:</p> <ol style="list-style-type: none">Shipments, including any component part thereof, moving under Collect on Delivery (C.O.D.) provisions; norShipments, including any component part thereof, transported on Order Notify Bills of Lading. <p>(E) B. Each shipment shall be limited to the following numbers of split pickup components, including the original pickup:</p> <table><tr><th colspan="2">When The Actual Or Billed Weight Of The Shipment (Whichever Is Greater) Is (In Pounds)</th><th>Maximum Number Of Split Pickup Components Allowed Will Be (See Exception)</th></tr><tr><th><u>Over</u></th><th><u>But Not Over</u></th><th></th></tr><tr><td>4,999</td><td>6,000</td><td>6</td></tr><tr><td>6,000</td><td>8,000</td><td>8</td></tr><tr><td>8,000</td><td>10,000</td><td>10</td></tr><tr><td>10,000</td><td></td><td>See Note</td></tr></table> <p>NOTE.--One split pickup component will be allowed for each additional 1,000 pounds or fraction thereof, subject to a maximum of 20 pickup components per shipment.</p> <p>EXCEPTION.--The total number of split pickup components may exceed the allowed number shown, provided, however, that for each pickup component in excess of said allowed number, a charge of \$3.75 will be made in addition to all other applicable rates and charges. In no event shall there be more than 40 pickup components per shipment.</p> <p style="text-align: center;">(Continued in Item 161)</p>			When The Actual Or Billed Weight Of The Shipment (Whichever Is Greater) Is (In Pounds)		Maximum Number Of Split Pickup Components Allowed Will Be (See Exception)	<u>Over</u>	<u>But Not Over</u>		4,999	6,000	6	6,000	8,000	8	8,000	10,000	10	10,000		See Note	160
When The Actual Or Billed Weight Of The Shipment (Whichever Is Greater) Is (In Pounds)		Maximum Number Of Split Pickup Components Allowed Will Be (See Exception)																			
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<p>§(E) Expires with June 30, 1972.</p> <p>§ Change, Decision No. 78566</p>																					
EFFECTIVE																					
Correction		ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.																			

SECTION 1--RULES OF GENERAL APPLICATION (Continued)			ITEM																		
<p style="text-align: center;">SPLIT DELIVERY (Items 170, 171, 172 and 173)</p> <p>(E) A. Except as otherwise provided, the provisions of this item do not apply to:</p> <ol style="list-style-type: none">1. Shipments, including any component part thereof, moving under Collect on Delivery (C.O.D.) provisions; nor2. Shipments, including any component part thereof, transported on Order Notify Bills of Lading. <p>(E) B. Each shipment shall be limited to the following numbers of split delivery components, including final destination:</p> <table><tr><th colspan="2">When the Actual Or Billed Weight Of The Shipment (Whichever Is Greater) Is (In Pounds)</th><th>Maximum Number of Split Delivery Components Allowed Will Be (See Exception)</th></tr><tr><th>Over</th><th>But Not Over</th><th></th></tr><tr><td>4,999</td><td>6,000</td><td>6</td></tr><tr><td>6,000</td><td>8,000</td><td>8</td></tr><tr><td>8,000</td><td>10,000</td><td>10</td></tr><tr><td>10,000</td><td></td><td>See Note</td></tr></table> <p>NOTE.--One split delivery component will be allowed for each additional 1,000 pounds or fraction thereof, subject to a maximum of 20 delivery components per shipment.</p> <p>EXCEPTION.--The total number of split delivery components may exceed the allowed number shown, provided, however, that for each delivery component in excess of said allowed number, a charge of \$3.75 will be made in addition to all other applicable rates and charges. In no event shall there be more than 40 delivery components per shipment.</p> <p style="text-align: center;">(Continued in Item 171)</p>			When the Actual Or Billed Weight Of The Shipment (Whichever Is Greater) Is (In Pounds)		Maximum Number of Split Delivery Components Allowed Will Be (See Exception)	Over	But Not Over		4,999	6,000	6	6,000	8,000	8	8,000	10,000	10	10,000		See Note	170
When the Actual Or Billed Weight Of The Shipment (Whichever Is Greater) Is (In Pounds)		Maximum Number of Split Delivery Components Allowed Will Be (See Exception)																			
Over	But Not Over																				
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