

ORIGINAL

Decision No. 79073

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation )  
for the purpose of considering and )  
determining revisions in or reissues )  
of Minimum Rate Tariff No. 14-A. )

Case No. 7857  
(Petition for Modification  
No. 52)  
(Filed August 6, 1971)

OPINION AND ORDER

Minimum Rate Tariff 14-A (MRT 14-A) names rates and rules for the statewide transportation of agricultural commodities and related articles in bulk, by highway carriers. By this petition, The Marley Company seeks the establishment of commodity rates in MRT 14-A for the transportation of wood shavings and sawdust, in bulk, for use as bedding or for other agricultural purposes.

Petitioner declares that it is a major producer at its Stockton plant of wood shavings and sawdust, which are used for bedding as well as for other agricultural purposes, and that its largest movement of these commodities is in bulk. Petitioner contends that it is far more economical and efficient to transport wood shavings and sawdust in bulk than to transport these commodities in machine-pressed bales but that the minimum rates in MRT 14-A on wood shavings (used for bedding) apply only to the transportation of that commodity in machine-pressed bales.

Petitioner states that the current class rates are unreasonable for movements of wood shavings and sawdust, in bulk, and that the rates and provisions of MRT 14-A, which apply to movements of comparable commodities at minimum weights susceptible to loading of wood shavings and sawdust in modern bulk type equipment, are more appropriate.

Petitioner points out that it has been accumulating a substantial stockpile of the products concerned because of the current rate problem and requests immediate relief so that these products may be moved during the forthcoming peak of the agricultural season.

Copies of the petition were mailed to California Trucking Association and California Farm Bureau Federation on August 4, 1971. The petition was listed on the Commission's Daily Calendar of August 9, 1971. No objection to the granting of the petition has been received.

Commission staff analysis indicates that the transportation characteristics of wood shavings and sawdust in bulk are similar to those of various commodities, which are subject to the minimum rates named in MRT 14-A, including in particular, wood shavings and straw in machine-pressed bales, hulls and pomace. The proposed rates are lower than the class rates which currently apply to the transportation in question. The staff recommends that the petition 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 nondiscriminatory minimum rates and charges for the transportation involved. A public hearing is not necessary. The Commission concludes that the petition should be granted.

IT IS ORDERED that:

1. Minimum Rate Tariff 14-A (Appendix A to Decision No. 67357, as amended) is hereby further amended by incorporating therein, to become effective September 4, 1971, Fifth Revised Page 31-C and Ninth Revised Page 32, 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. 67397, as amended, are hereby authorized to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein.

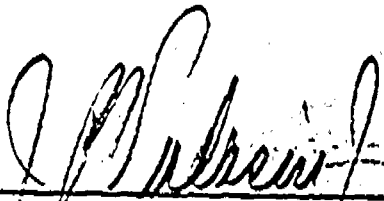



3. Tariff publications authorized to be made by common carriers as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than the first day after the effective date of this order on not less than one day's notice to the Commission 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 rates 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 rates 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. 67397, as amended, shall remain in full force and effect.

The effective date of this order shall be September 3, 1971.

Dated at San Francisco, California, this 24th day of  
August, 1971.

  
\_\_\_\_\_  
Chairman  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
Commissioners

SECTION NO. 5--DISTANCE COMMODITY RATES (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, except as to packing requirements and form in which the commodity is shipped.)	
<p>LIST 4--SEEDS AND RELATED ARTICLES</p> <p>(1) Seeds, other than cotton, flax, or safflower, as described under the heading "Seeds" in the Governing Classification, in bulk, or in bins, or in containers with a capacity exceeding 40 cubic feet.</p> <p>Beans, castor (23020).</p> <p>(1) Unless otherwise exempt under the provisions of Item 40.</p> <p>*LIST 4-A--BEDDING AND RELATED ARTICLES, VIZ.:</p> <p>Wood Shavings (113730), subject to Note 1.</p> <p>Sawdust (113200, 113710), subject to Note 1.</p> <p>NOTE 1.--When used for bedding or as agricultural soil covers or additives, and when entire shipment is transported in a single unit of carrier's equipment.</p>	4525
<p>           { Change            * Addition         </p> <p>Decision No. 79079</p>	
EFFECTIVE	
Correction <div>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</div>	

SECTION 5--DISTANCE COMMODITY RATES (Concluded)  
(In Cents Per 100 Pounds)

ITEM

Grain, Rice, Grain Products, Animal or Poultry Feed, Seeds, and Related Articles,  
as described in Items 515, 520, 525 and 530, in bulk or in bins or in containers  
otherwise specified.

MILES		RATES (See Note 1)					
Over	But Not Over	MINIMUM WEIGHT IN POUNDS					
		10,000 (See Note 2)	20,000	30,000	40,000	48,000 ¢ (See Notes 3 & 5)	52,000 ¢ (See Notes 4 & 5)
0	3	16	13	10	8	7½	7
3	5	17	14	11	9	8	7½
5	10	18	16	12	10	9	8
10	15	19	17	13	11	10	8½
15	20	22	18	14	12	11	9
20	25	24	19	15	13	12	10
25	30	25	20	16	14	13	11
30	35	27	22	17	15	14	12
35	40	29	23	18	16	15	13
40	45	31	24	19	17	16	13½
45	50	34	25	20	18	17	14
50	60	36	27	22	19	18	15
60	70	38	29	24	21	19	16
70	80	40	31	25	22	21	17
80	90	43	32	27	23	22	18
90	100	46	33	29	25	23	19
100	110	49	35	31	27	25	20
110	120	52	37	32	28	26	21
120	130	55	38	33	29	27	23
130	140	58	40	35	31	29	24
140	150	61	42	37	32	30	25
150	160	64	44	39	34	32	26
160	170	66	46	41	36	33	27
170	180	68	48	42	38	35	28
180	190	70	50	44	40	36	29
190	200	73	52	46	42	38	31
200	220	77	55	49	44	40	34
220	240	81	57	52	46	42	36
240	260	85	60	54	49	44	38
260	280	89	63	57	51	46	40
280	300	93	66	60	54	49	43½
300	325	96	69	63	57	52	46½
325	350	99	72	66	59	54	50
350	375	103	75	69	62	56	53
375	400	107	78	72	64	59	56
400	425	110	81	75	66	62	59
425	450	114	84	77	68	64	62
450	475	118	87	80	70	66	65
475	500	121	91	82	72	68	68
For distances over 500 miles, add for each 25 miles or fraction thereof:		4	3	3	2½	2½	2

#550

NOTE 1.--On all Field Pickup Shipments, as defined in Item 180, add the charges provided therein to the rate otherwise applicable.

NOTE 2.--Rates for shipments weighing less than 10,000 pounds are provided in Minimum Rate Tariff 2.

NOTE 3.--Rates in this column are subject to the provisions of Item 510.

NOTE 4.--Rates in this column are subject to the provisions of Item 512.

\*NOTE 5.--Rates in this column do not apply to shipments containing commodities named in List 4-A in Item 525.

¢ Change )  
 \* Addition ) Decision No. 79079

EFFECTIVE

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

Correction