

ORIGINAL

Decision No. 79344

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of J. D. Sherson, Tariff Publish-)
ing Officer, for approval of) Application No. 52734
changes in classification provi-) (Filed July 7, 1971)
sions.)

In the Matter of the Investigation)
into the rates, rules, regulations,)
charges, allowances and practices)
of all common carriers and highway)
carriers relating to the trans-)
portation of any and all commod-) Case No. 5432
ities 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).)

And Related Matters) Cases Nos. 5439
) and 5441
)

OPINION AND ORDER

By this application, J. D. Sherson, Tariff Publishing Officer, on behalf of the rail carriers participating in Uniform Freight Classification 10 and Consolidated Freight Classification 23, seeks to publish amendments to certain classification ratings and rules in said classifications governing the intrastate transportation of property between points in California by such rail carriers.

Applicant proposes to: (1) publish a new rule to the effect that unless otherwise provided in the classification or tariffs all published rates or ratings and applicable minimum weights will not have application to shipments moving on multi-level flat cars; (2) increase the minimum carload weight on alloys

from 56,000 to 80,000 pounds; (3) increase the carload ratings on aluminum or aluminum alloy articles based on a minimum weight of 10,000 pounds from Class 85 to Class 100 and reduce the carload rating based on a minimum weight of 24,000 pounds from Class 85 to Class 55; (4) modify certain paper item provisions to provide that when shipped in flat sheets on wood platforms, the skids or runners must be securely reinforced with cross bracing to preclude damage; (5) increase the carload minimum weights on cotton filling from 12,000 to 16,000 pounds for Class 70 and from 20,000 to 24,000 pounds for Class 55; and (6) revise certain furniture package requirements.¹

Applicant states that the proposed new rule applicable to shipments transported on multi-level flat cars would place rail carriers operating in California on an equal basis with rail carriers operating elsewhere in the country. Applicant alleges that the proposed increase in the carload weight on alloys would enable the carriers to realize heavier loadings and added revenue to insure fair return from utilization of current modern and more expensive equipment, and the proposed revisions in carload ratings on manufactured aluminum or aluminum alloy articles would enable the rail carriers to remain competitive with other modes of transportation. Applicant avers that the proposed modified specifications applicable to wood platform skids, upon which paper is shipped in flat sheets, would reduce the number of damage claims and is supported by representatives of the Paper Institute. Applicant declares that proposed increases in the carload minimum weights on cotton filling would place the rail carriers in a competitive position with other modes of transportation.

¹ The proposed ratings and rules are set forth in detail in the application and Exhibits B and D attached thereto.

Applicant contends that the proposed revision of certain furniture packing requirements is necessary to upgrade the specifications in order to alleviate the numerous damage claims experienced by the rail carriers for many years.

Copies of the application were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about July 6, 1971. The application was listed on the Commission's Daily Calendar of July 9, 1971. No objection to the granting of the application has been received.

Commission staff analysis discloses that the adoption of applicant's proposals would place rail carriers operating within California on an equal basis with rail carriers operating elsewhere in the country and insure the carriers better utilization of the modern and expensive transportation equipment operated.

In the circumstances, it appears, and the Commission finds, that increases resulting from publication of the amendments, as proposed, are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. J. D. Sherson, Tariff Publishing Officer, is authorized, on behalf of the carriers participating in Uniform Freight Classification 10 and Consolidated Freight Classification 23, to publish amendments to said classifications as specifically proposed in the application.

2. Tariff publications authorized to be made as a result of Ordering Paragraph 1 hereof shall be filed not earlier than the effective date of this order and may be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and to the public.

3. Common carriers maintaining, under outstanding authorizations permitting the alternative use of rail rates, rates based on the classification ratings and rules involved herein and below the specific minimum rate levels otherwise applicable, are authorized and directed to increase such rates to the level of the rail rates established pursuant to the authority granted in Ordering Paragraph 1 hereof or to the level of the otherwise specific minimum rates, whichever is lower.


4. Tariff publications required or authorized to be made by common carriers as a result of Ordering Paragraph 3 hereof may be made effective not earlier than the effective date of the publications made by applicant pursuant to the authority granted in Ordering Paragraph 1 hereof on not less than thirty days' notice to the Commission and to the public; such tariff publications as are required shall be made effective not later than thirty days after the effective date of the tariff publications made by applicant pursuant to the authority granted in Ordering Paragraph 1 hereof.


5. Common carriers, in establishing and maintaining rates based on the classification ratings and rules authorized herein, 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 prior orders authorizing long- and short-haul departures and to this order.

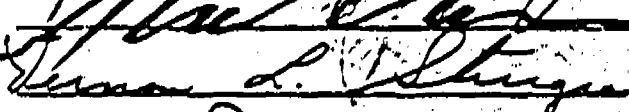
6. The authority granted in Ordering Paragraph 1 hereof shall expire unless exercised within ninety days after the effective date of this order.

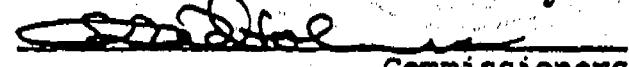
This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 23rd day of San Francisco, 1971.



Chairman






Commissioners