

Decision No. 79993

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. 694)
(Filed March 15, 1972)

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 30, 1972. By the above petition, California Trucking Association requests that the Commission extend the expiration date to June 30, 1973. Relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code is also sought.

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

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 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 suggestions have been advanced by the aforementioned group and that it would be appropriate to extend the present expiration date for an additional one-year period to allow continuing evaluation of such suggestions concurrently with existing provisions.

Petitioner alleges that the proposed extension of the expiration date will afford all parties the additional time needed to evaluate further the suggested changes and will contribute to the ultimate development of permanent provisions concerning the service of split pickup or split delivery.

Copies of the petition were mailed to various chambers of commerce, shipper organizations, carrier representatives and other interested parties on or about March 13, 1972. The petition was listed on the Commission's Daily Calendar of March 16, 1972. 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 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 No. 2 (Appendix D to Decision No. 31606, as amended) is further amended by incorporating therein to become effective July 1, 1972, Twenty-eighth Revised Page 20-A and Fifth 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.


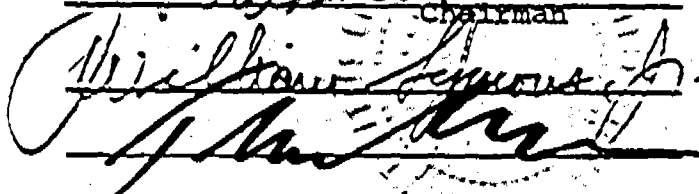

3. Tariff publications required to be made by common carriers as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than the tenth day after the effective date of this order on not less than ten days' notice to the Commission and to the public and such tariff publications shall be made effective not later than July 1, 1972; 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 2nd day of May, 1972.


Chairman


Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES OF GENERAL APPLICATION (Continued)

ITEM

 SPLIT PICKUP
 (Items 160, 161, 162 and 163)

(E) A. Except as otherwise provided, the provisions of this item do not apply to:

1. Shipments, including any component part thereof, moving under Collect on Delivery (C.O.D.) provisions; nor
2. Shipments, including any component part thereof, transported on Order Notify Bills of Lading.

(E) B. Each shipment shall be limited to the following numbers of split pickup components, including the original pickup:

When The Actual Or Billed
Weight Of The Shipment
(Whichever Is Greater) Is
(In Pounds)

<u>Over</u>	<u>But Not Over</u>
4,999	6,000
6,000	8,000
8,000	10,000
10,000	

Maximum Number Of
Split Pickup
Components Allowed
Will Be
(See Exception)

6
8
10
See Note

160

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.

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.

(Continued in Item 161)

6(E) Expires with June 30, 1973

6 Change, Decision No. 79993

EFFECTIVE

Correction

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

SECTION 1--RULES OF GENERAL APPLICATION (Continued)

ITEM

SPLIT DELIVERY
(Items 170, 171, 172 and 173)

(E) A. Except as otherwise provided, the provisions of this item do not apply to:

1. Shipments, including any component part thereof, moving under Collect on Delivery (C.O.D.) provisions; nor
2. Shipments, including any component part thereof, transported on Order Notify Bills of Lading.

(E) B. Each shipment shall be limited to the following numbers of split delivery components, including final destination:

When the Actual Or Billed
Weight Of The Shipment
(Whichever Is Greater) Is
(In Pounds)

<u>Over</u>	But <u>Not Over</u>
4,999	6,000
6,000	8,000
8,000	10,000
10,000	

Maximum Number of
Split Delivery
Components Allowed
Will Be
(See Exception)

6
8
10
See Note

170

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.

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.

(Continued in Item 171)

s(E) Expires with June 30, 1973

s Change, Decision No. 79993

EFFECTIVE

Correction

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SAN FRANCISCO, CALIFORNIA.