

ORIGINAL

Decision No. 80066

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

SUPPLEMENTAL OPINION AND ORDER

On April 9, 1971, there was sent to interested parties for comments or suggestions a report prepared by the Commission's Transportation Division Freight Economics Branch staff, concerning the exception ratings in Item 365 of Minimum Rate Tariff 2 for the transportation of oil, water or gas well outfits or supplies and other articles. The parties were informed that, in the absence of objection but subject to possible modifications suggested by the parties, consideration may be given to the issuance of an ex parte order revising Minimum Rate Tariff 2 in accordance with the staff recommendations.

According to the staff report a question has arisen as to whether shipments transported to job sites off a paved road, when such sites are not oil, water or gas well sites, are subject to the aforementioned exception ratings. The report states that a possible ambiguity exists in Note 2 of Item 365 of Minimum Rate Tariff 2, which reads as follows:

"The provisions of this item apply only in connection with shipments transported from, to or between oil,

water or gas well job sites; a site for drilling any exploratory oil, water or gas well; a job site located off paved road; a pier, quay or wharf for transshipment from or to an offshore drilling facility." (Emphasis added).

The staff report avers that this wording was first established in the tariff effective April 18, 1970 by Decision No. 77032 to apply on pipe and pipe fittings only. According to the report, the above decision states that through inadvertence Item 365 was not amended to reflect the authority granted by Decision No. 76408 of November 12, 1969.

By Petition No. 608 in Case No. 5432, the Commission was requested to establish permanent exception ratings on the commodities named in Item 365. Decision No. 78062 dated December 8, 1970 granted the above petition, including the application of the ratings to shipments from, to or between a job site off a paved road.

The staff report contends that it is clear from the request in Petition No. 608 in Case No. 5432 and Decision No. 78062, that it was intended to apply the exception ratings in Item 365 to the articles named therein when such articles were destined to other than oil, water or gas well job sites located off a paved road as well as the other sites named in Note 2 of the item. The report recommends that Note 2 of Item 365 of Minimum Rate Tariff 2 be amended to resolve the question involved.

Written comments have been received from Pacific Gas and Electric Company, Highway Carriers Association, California Trucking Association, Pond Trucking Company, Atlantic Richfield Company and United States Steel Corporation. The comments included a proposal that the term "job site" be clarified so as to remove any doubt as to whether a job site means any destination located off a paved road or whether it refers to only a construction site, such as a dam or power plant. Another party proposed that the present arrangement of wording in Item 365 be retained but with certain modifications in punctuation and the pluralization of certain words. The

suggestions that the term, "job site," be clarified and that certain words be pluralized have merit. The staff proposal with certain recommended amendments will be adopted.

The staff's report and written replies thereto are respectively received in evidence as Ex Parte Exhibits Nos. 0-20 and 0-21 in Case No. 5432.

Upon consideration of the evidence in this proceeding, the Commission finds that the proposed staff amendment to Minimum Rate Tariff 2, as modified by certain suggestions received from interested parties, is reasonable and 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 Minimum Rate Tariff 2 should be amended by the order herein.

Other minor changes not related to the subject matter herein will be made in some of the tariff pages herein being revised.¹

IT IS ORDERED that:

1. Minimum Rate Tariff 2 (Appendix D to Decision No. 31606, as amended) is further amended by incorporating therein, to become effective June 24, 1972 the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix by this reference are made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject to said Decision No. 31606, as amended, are hereby directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein.

¹ The Index of Commodities will be amended to list therein certain commodities for which rates are provided in Section 3.5 of the tariff. Also Original Page 66-G will be amended to clarify the application of the rates named in said Section 3.5. The Table of Contents will be modified to include reference therein to Forklift Service and Parcel Deliveries.


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 shall be made effective not later than June 24, 1972.

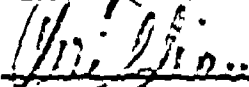
4. Common carriers, in establishing and maintaining the amendments authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations,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


Dated at San Francisco, California, this 16th day of May, 1972.



Chairman








Commissioners

APPENDIX A

LIST OF REVISED PAGES TO MINIMUM RATE TARIFF 2

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THIRTY-NINTH REVISED PAGE 4

FIFTY-SIXTH REVISED PAGE 5

THIRTY-NINTH REVISED PAGE 6

FIFTY-SECOND REVISED PAGE 7

FORTY-SIXTH REVISED PAGE 8

FIFTH REVISED PAGE 10

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FIRST REVISED PAGE 66-G

(END OF APPENDIX A LIST)

MINIMUM RATE TARIFF 2

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* Addition, Decision No. 80066	
EFFECTIVE	
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

INDEX OF COMMODITIES

Only those articles which are named in commodity rate items or in Exceptions to the Governing Classification and Exception Ratings Tariff are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Acid, Boracic	730-732	Belts (M)	365
Air Compressors (M)	365	Beverage Containers	330
Ale	310,360	Beverage Preparations	360
Alfalfa, chopped and pressed, dried	652-654½	Beverages	316,360
Ammonia, cleaning	730-732	Beverages, Malt or Cereal	310
Animal Feed	338,620,630	Bits, Drilling	365
Anvils (M)	365	Bleach, Laundry	730-732
Apples, dried	350	Blocks, building	334.8
Arms, Cross, wooden	690,710	Bluing, Laundry (M)	360
Articles, concrete or tile	318	Boards	690,710
*Articles, iron or steel	760,764,765	Boiler Flues	365
*Articles, paper	770	Boiler Parts (M)	365
Asphalt, Liquid	377.5,723-726	Boilers (M)	365
Asphalt, Solid	303	Boiler Tubes	365
Atmospheric Water Cooling Towers (M)	365	Books, School Textbooks	317
Bakery Goods	360	Borax	730-732
Bananas, powdered	350	Boxes, Planter	758
Barrels, Pump Working	365	Brandy	360
Bars, Grate	365	Breads	320
Batteries, electric (M)	377.5,723-726	Brick, Fire (M)	365
Beans, Castor	652-654½	Brine	320
Beans and Pork	320-1	Broths	320
Beers	310,360	Butter	335.5
		Butter, Fruit	320
		Butter, Peanut	320-1
		Buttermilk	320,345

(M) Denotes articles on which application of rates is limited to mixed shipments.

* Addition, Decision No. 80066

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ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
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INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity rate items or in Exceptions to the Governing Classification and Exception Ratings Tariff are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Candles (M)	377.5,723-726	Cocoa	360
Candy	360	Cocoanut, prepared	333.5
Candy coating, other than chocolate	360	Coffee	360
Canned Goods	320-320-1,620,630	Coffee, extract of (condensed or instant), dry	360
* Cans	772	Coffee Substitutes	360
Carriers (used packages), salt or cereal beverage	331	Coloring, Confectioners'	360
Carriers (used packages)	330.6, 331	Compound, cleaning (M)	377.5,723-726
Carts, Freight	331	Compound, electrical insulating (M)	377.5,723-726
Catsup	320-1	Compound, metal cutting, drawing or drilling (M)	377.5,723-726
Cement, pipe fitting (M)	377.5,723-726	Compound, paint thinning (M)	377.5,723-726
Cereal and Nuts combined	360	Compound, pneumatic tire mounting (M)	377.5,723-726
Cereal Food Preparations (M)	360	Compound, radiator cleaning (M)	377.5,723-726
Cheese	335.5	Compound, rust preventing or removing (M)	377.5,723-726
Cheese Foods	335.5	Compound, type cleaning (M)	377.5,723-726
Chili, ground	320	Compound, waterproofing (M)	377.5,723-726
Chips, Wood	635-636	Compounds, ammonia	730-732
Chloride of Lime Bleach	730-732	Compounds, antifreeze (M)	377.5,723-726
Chocolate	360	Compounds, buffing or polishing	730-732
Chocolate Coating	360	Compounds, Cleaning, Scouring or Washing	730-732
Chowders	320	Compounds, carbon, gum or sludge removing (M)	377.5,723-726
Citrus Fruit Juice Powders or Crystals	360		
Clay, Fire (M)	365		
Coating, candy, other than chocolate	360		
Coating, Chocolate	360		

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COMMODITY	ITEM	COMMODITY	ITEM
Wigs, powdered	350	Gears, running, steam boiler (M)	365
Fire Brick (M)	365	Gelatine	360
Fire Clay (M)	365	Generators, Electric (M)	365
Fish (animal feed)	338	Germ, wheat	652-654 1/2
Fish, cooked, pickled or preserved	320, 345	Glucose	360
Fish, fresh, frozen	775	Grain as described under the heading of "Grain Group" in the Governing Classification	652-654 1/2
Fish, other than fresh or frozen	360	Grain Products as described under the heading "Grain Products" in the Governing Classification	652-654 1/2
Fish, other	320	Grate Bars	365
Fittings, Pipe, Iron or Steel	365, 378	Grit, processed from rock or shell	652-654 1/2
Flavoring Compounds	360	Groceries and Grocers' Supplies	360
Flour, Bean	652-654 1/2	Gum, Chewing	360
Flour, cooked	339	Hominy	320-1
Flour, edible	360	Honey	320, 360
Flour, gelatinized	339	Horseradish	360
Flour, Grain	339	Horseradish, prepared	320-1
Flour, Potato	339, 652-654 1/2	Hulls, cocoa bean	652-654 1/2
Flour, prepared, edible	339, 652-654 1/2	Hulls, cottonseed	652-654 1/2
Flour, Rice	339, 652-654 1/2	Hulls, Nut	652-654 1/2
Flour, Soybean	339	Hulls, sunflower	652-654 1/2
Flour, Tapioca	652-654 1/2	Hulls, whole or ground	652-654 1/2
Flues, Boiler	365	Ice	660
Fondant, Candy	360	Icings	360
Food, Baby	320	Insecticides (M)	377.5, 723-726
Food, Cereal	360	Iron, plate or sheet (M)	365
Food, Milk, other than malted, liquid	320	Jam	320
Food, prepared	360	Jelly	320
Food Preparations, Cereal (M)	360	Joints, Sucker Rod	365
Foodstuffs for human consumption	345, 620, 630	Juice, Clam	320
Fruit (not dried, evaporated nor fresh)	320	Juice, Fruit	320
Fruit, candied, crystallized, glazed or stuffed	360	Lard	335.5
Fruit, crushed	320	Lard Compounds	335.5
Fruits, dried or evaporated	350	Lard Substitutes	335.5
Fruit Drink	320		
Fruit Juice Powders or Crystals, Citrus	360		
Fruit Peel, candied, crystallized, glazed or stuffed	360		
Fruit Syrups	360		
Fuel, Wood	729		
Garlic Chips	320		
Garlic Powder	320		
Gas, petroleum liquefied	377.5, 723-726		

(M) Denotes articles on which application of rates is limited to mixed shipments.

* Addition, Decision No.

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FOYFIVE

Correction

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
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INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity rate items or in Exceptions to the Governing Classification and Exception Ratings Tariff are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Limestone, crushed or ground (feed grade)	652-654½	Milk Substitutes	345
Lime, Chlorinated	730-732	Mince Meat	320
Liquid, cigar or cigarette lighter (M)	377.5,723-726	Mineral Mixtures	652-654½
Liquors, Malt	360	Mix, Pizza Pie	345
Liquors, Vinous	360	Mixtures, Mineral	652-654½
Litter, Poultry (M)	652-654½	Molasses	320-1
Loans, fish, frozen	775	Molasses (M)	652-654½
Lubricant, Grease Binder	377.5,723-726	Monoglycerides of Fat-forming Acids	335.5
Lubricant, metal cutting, drawing or drilling (M)	377.5,723-726	Mud or Compounds, well drilling	365
Lumber	685,690,700,710	Mushrooms	320-1
Lye, Concentrated	730-732	Mustard	360
Macaroni, except canned	360	Mustard, prepared	320-1
Macaroni (prepared)	320		
Macaroni, dry, and other ingredients	345,360	Noodles and Cheese	345
Malted Milk	360	Noodles, except canned	360
Manholes	334.8	Noodles (prepared)	320
*Material, roofing, building or paving	761,762,767	Noodles, dry, and other ingredients	345,360
Mayonnaise	320-1	Nuts, edible, shelled	350,360
Meal, feather	652-654½		
Meat (Animal Feed)	338	Oil, Cooking	320-1,335.5
Meat, other than fresh	360	Oil, Olive	320-1
Meat Substitutes	360	Oil (other than medicinal) (M)	377.5,723-726
Meats, cooked, cured or preserved	320,345	Oil, petroleum medicinal (M)	377.5,723-726
Meats, fresh	376	Oil, Salad	320-1,335.5
Mechanics' Tools (M)	365	Oleomargarine	335.5
Milk	345	Olives	320-1
Milk (condensed, evaporated or sterilized)	320	Onion Chips	320-
Milk Food, other than malted, liquid	320	Onion, Powdered	320
Milk, Malted	360	Outfits, insect destroying (M)	377.5,723-726
Milk, Pasteurized	345	Outfits, Oil, Water or Gas Well	365
Milk, Solids, dry	345		
Milk, Sterilized	320,345		

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INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity rate items or in Exceptions to the Governing Classification and Exception Ratings Tariff are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Paint, asphaltic (M)	377.5, 723-726	Porter	310, 360
Paint, liquid (M)	377.5, 723-726	Posts	690, 710
*Paper	765, 770	Potatoes, cooked and powdered, other than frozen	360
Parts, Boiler (M)	365	Potatoes, processed, cooked and powdered	320-1
Paste, Confectionery	360	Potato Chips (M)	360
Paste, Icing	360	Pot Scourers	(M) 360, 378.5
Paste, Tomato	320-1	Poultry and poultry parts	379
Peaches, powdered	350	Poultry Litter (M)	652-654½
Peanut Butter	320-1	Powder, Baking	360
Peanut Spread	320-1	Powders, Citrus Fruit Juice	360
Pectin, Fruit or Vegetable	320-1	Powder, Yeast	360
Peel, fruit, candied, crystal- lized glazed or stuffed	360	Power Pumps (M)	365
Peel, grapefruit, lemon or orange, dried	350	Preservatives, wood (M)	377.5, 723-726
Petroleum and Petroleum products as described in Governing Classification	377.5, 723-726	Preserves	320
Pickles	320-1	Prunes, powdered	350
Pie Mix, Pizza	345	Puddings	320-1
Pie Preparations	320-1	Pulp, Fruit or Vegetable	320, 320-1
Piling	690, 710	Pumps, Power (M)	365
Pimentos	320-1	Puree, Tomato	320-1
Pipe, cast iron pressure	378	*Rags	765
Pipe, cast iron soil	378	Ravioli (prepared)	320-1
Pipe, iron or steel, cast or wrought, plate or sheet	365	Repellents, insect (M)	377.5, 723-726
Pipe, iron or steel, well casing or drilling	365	Rice-and-Milk	320-1
Pizza Pie Mix	345	Rice, Brewers'	652-654½
Plywood	690, 710	Rice, Cleaned	652-654½
Poles	690, 710	Rice, dry, and other ingre- dients	345, 360
Polish, boat, floor, furni- ture or vehicle	730-732	Rice, Paddy	652-654½
Polish, floor (M)	377.5, 723-726	Rods, Pull (M)	365
Polish, furniture (M)	377.5, 723-726	Rods, Sucker	365
Polish, metal (M)	377.5, 723-726	Rope (M)	365
Polish, vehicle (M)	377.5, 723-726	Running Gears, Steam boiler (M)	365
Pomace	652-654½	Sago	360
Popcorn, not popped	360		
Popped Corn (M)	360		

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ARRANGEMENT OF TARIFF

This is a loose-leaf tariff consisting of six sections.

SECTION 1 contains rules of general application.

Except as otherwise specifically provided, the rules contained in Section 1 govern the rates in Section 2, Section 3 and Section 3.5 of the tariff.

SECTION 2 contains class rates.

SECTION 3 contains commodity rates.

*SECTION 3.5 contains commodity rates Metropolitan Los Angeles Area.

SECTION 4 contains routing applicable in connection with rates in Section 2 and Section 3 making specific reference thereto.

SECTION 5 contains forms of documents.

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SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued)		
(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.)		Class Rating
<p>OIL, WATER OR GAS WELL OUTFITS OR SUPPLIES, AND OTHER ARTICLES, subject to Notes 1 and 2. viz.:</p> <p>Bars, grate, iron or steel (104320)</p> <p>Cocks or Valves, NOI, Gate Valves, NOI, Faucets, NOI, or Bibb Cocks, NOI, or Parts thereof, NOI, brass, bronze, copper or iron or steel (50855 or 50870)</p> <p>Flues or Tubes, boiler (25600)</p> <p>Mud or Compounds, gas or oil well drilling, or Gas or Oil Well Drilling Mud Treating Compounds (138640)</p> <p>Oil, Water or Gas Well Outfits or Supplies as described under the heading OIL, WATER, GAS WELL GROUP of the Governing Classification (142700 through 144490)</p> <p>Pipe, iron or steel, cast, NOI (51200), subject to Note 3</p> <p>Pipe or Tubing, iron or steel, NOI (51940, 51960 or 51970), subject to Note 3</p> <p>Pipe or Tubing, iron or steel, wrought (52090), subject to Note 3</p> <p>Pipe or Tubing, or Pipe or Tubing Fittings, sheet steel (52200), subject to Note 3</p> <p>Pipe Fittings, NOI, iron or steel (51460, 51470 or 51500), subject to Note 3</p> <p>Plate, iron or steel, armor or deck (106020)</p> <p>Plate, sheet or strip, iron or steel (106060, 106065, 106120 or 106220)</p> <p>Plate or Sheet, iron or steel (106080, 106100, 106140, 106160, or 106180)</p> <p>Plates or Cleats or Corner or Edge Protectors (106260)</p> <p>Plates, structural, NOI, iron or steel (106280)</p> <p>Pump Working Barrel Valves (127560)</p> <p>Sheet, iron or steel (106720 or 106740)</p> <p>Sucker Rod Joints, iron or steel (96980)</p> <p>Tanks, iron or steel (25800, 121150, 123540, 180790, Sub 3, 180840, 181070, 181110, 181170, 181260, 181270, Sub 3 and 4, 181330, 181350, 181370, 181390, 181410, 181440, 181480, 181540, 181560, 181620, 181660, 181740 or 181760)</p> <p>Towers, water cooling (187030)</p> <p>Truckload:</p> <p>Minimum Weight 20,000 pounds-----</p> <p>Minimum Weight 30,000 pounds-----</p> <p>NOTE 1.--Truckload ratings set forth in this item do not alternate with LTL ratings.</p> <p>NOTE 2.--The provisions of this item apply only in connection with shipments transported from, to or between: (a) oil, water or gas well job sites; (b) sites for drilling exploratory oil, water or gas wells; and (c) piers, quays or wharves for transshipment from or to offshore drilling facilities. The provisions of this item shall also apply in connection with shipments transported from, to or between job sites, other than oil, water or gas well job sites, located off paved roads. A job site means a point at which the shipment was, or is to be, used in the construction of a facility.</p> <p>NOTE 3.--Applies only in connection with commodities having an inside diameter of 4 inches or greater.</p>		<p>365</p> <p>77½ 60</p>
<p>Change, Decision No. 80066</p>		
		EFFECTIVE
Correction		ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 3.5

COMMODITY RATES
METROPOLITAN LOS ANGELES AREA

Except as otherwise provided herein,
the rates in this Section are limited to movements
within and between Metropolitan Zones
218, 227, 228, 229, 234,
235 and 236.

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