

ORIGINAL

Decision No. 81034

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
National Motor Freight Traffic)
Association, Inc., Agent, for and on)
behalf of certain highway common)
carriers and express corporations,)
for authority to make various re-)
visions in National Motor Freight)
Classification A-13.)

Application No. 53768
(Filed December 29, 1972)

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. 730)
(Filed December 29, 1972)

And Related Matters

) Case No. 5436, Petition No. 133
) Case No. 5439, Petition No. 175
) Case No. 5441, Petition No. 262
) Case No. 5603, Petition No. 118
) Case No. 7783, Petition No. 65
) Case No. 7857, Petition No. 71
) Case No. 7858, Petition No. 147
) (Filed December 29, 1972)

OPINION AND ORDER

Decision No. 80940, dated January 9, 1973, in Applications Nos. 53707 and 53762 and in Case No. 5432, Petitions for Modification Nos. 724 and 728, et al., authorized National Motor Freight Traffic Association, Inc., Agent, to publish, on behalf of

California common carriers to become effective January 19, 1973, National Motor Freight Classification A-13 and Supplement 2 thereof in lieu of National Motor Freight Classification A-12 and supplements thereto. That decision concurrently adopted National Motor Freight Classification A-13 as the governing classification for the minimum rates established by the Commission as set forth in various minimum rate tariffs.

By Application No. 53768, National Motor Freight Traffic Association, Inc., Agent, seeks authority, on behalf of such common carriers, to correct certain publication errors in National Motor Freight Classification A-13 by publishing in Supplement 3 thereto the necessary amendments.¹ By the above petitions, California Trucking Association seeks to make the proposed provisions applicable to certain Commission minimum rate tariffs.² Petitioner requests that all common carriers be directed to establish in their respective tariffs such modifications as may be prescribed by the Commission's order in these proceedings, including relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code.

Applicant and petitioner, hereinafter referred to as applicants, allege that, since the publication of National Motor Freight Classification A-13, several technical inadvertencies and omissions have been discovered. Applicants aver that it has been necessary to correct these errors by issuing the special supplement

¹ The proposed changes are set forth in Exhibit A attached to the application.

² The tariffs are Minimum Rate Tariffs 1-B (East Bay Drayage), 2 (General Commodities Statewide), 6-A (Petroleum and Petroleum Products Statewide), 9-B (San Diego Drayage), 11-A (Uncrated New Furniture Statewide), 14-A (Agricultural Commodities Statewide), 15 (Vehicle Unit Rates), 19 (San Francisco Drayage) and Exception Ratings Tariff 1.

involved herein. Applicants assert that no change in rules, regulations charges or principles and practices would result from the adoption of Supplement 3 and it would be in the best interest of carriers and the public generally that these provisions be uniformly applied between California intrastate traffic and other traffic.

Copies of the application and petitions were mailed to various chambers of commerce, shipper organizations, carrier representatives and other interested parties on or about December 26, 1972. The application and petitions were listed on the Commission's Daily Calendar of January 2, 1973. No objection to the granting of the application and petitions has been received.

Commission staff analysis indicates that the proposed changes would correct publication errors. However, one of these changes would provide truckload ratings on barrels, drums, pails or tubs in Item 21960-A of the Governing Classification which are identical to those currently set forth in Item 1810 of Exception Ratings Tariff 1 as exceptions to the ratings in said classification. The latter item should be canceled to avoid duplication of tariff provisions. The Transportation Division staff recommends that the application and petitions be granted by ex parte order to the extent hereinafter indicated.

In the circumstances, the Commission finds that the necessary corrections should be authorized. A public hearing is not necessary. The Commission concludes that the application and petitions should be granted to the extent indicated in the ensuing order.

IT IS ORDERED that:

1. National Motor Freight Traffic Association, Inc., Agent, on behalf of the involved common carriers participating in National Motor Freight Classification A-13, is authorized to establish and publish the classification ratings and rules set forth in Application No. 53768 to become effective February 16, 1973, on not less than one day's notice to the Commission and to the public.

2. The classification ratings and rules authorized herein are approved and adopted as just, reasonable and nondiscriminatory ratings and rules to govern the rates and rules promulgated by the Commission in Minimum Rate Tariffs 1-B, 2, 9-B and 19.

3. Exception Ratings Tariff 1 (Appendix A to Decision No. 66195, as amended) is further amended by incorporating therein, to become effective February 16, 1973, Thirty-seventh Revised Page 3 and Sixth Revised Page 27-WWW attached hereto and by this reference made a part hereof.

4. Tariff publications required to be made by common carriers as a result of the order herein shall be made effective February 16, 1973, on not less than one day's 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 February 16, 1973, and may be made effective on not less than one day's notice to the Commission and to the public if filed not later than April 17, 1973.

5. The classification ratings and rules authorized to be established by the order herein are authorized to be made applicable also for the transportation of:

- (a) Commodities for which minimum rates have not been established, or
- (b) Commodities which are subject to higher rates than, or more restrictive provisions than, the minimum rates or provisions otherwise applicable, or
- (c) Commodities for which rates have been established based upon Minimum Rate Tariffs 1-B, 2, 9-B and 19.

6. Common carriers, in establishing and maintaining the ratings and rules 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 ratings and rules published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

7. In all other respects, Decision No. 66195, as amended, shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Diego, California, this 6th day of February, 1973.

Vernon L. Sturgeon
President
William J. ...
...
...
Commissioners

INDEX OF COMMODITIES			
COMMODITIES	ITEM	COMMODITIES	ITEM
Acids	1200	Machines, Business or Office	1850
Articles as described in the		Machines, Copying, Duplicating	
Governing Classification	1030-1050	or Reproducing	1850
**		Pads, sanitary	755
Blankets	1800	**	
Carriers, used packages	320, 321, 340	Paper Articles	1640
Cartons, egg, pulp	270	Recorders, tape	1850
Chemicals	1320		
Confectionery	480	Salt, common	
**		(Sodium Chloride)	880
Fertilizers	540, 560, 580	Sheeting, plastic	490
Filler Flats, Egg		Shipments, returned	820
Case or Egg Carrier	450	Sod, chopped or not chopped	860
Film, plastic	490	Strontium Nitrate	870
Flowers, fresh, cut	592	Sugar	940
Kindling, fire, wood	600	**	
Logs, compressed sawdust	600	Wood, fuel	600

** Eliminated, Decision No.

81034

EFFECTIVE

Correction

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

SECTION 2-D--RATINGS WHICH ARE EXCEPTIONS TO THE CC		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.)		
ARTICLES	Rating	
BLANKETS, NOISEN (49040) Synthetic fibre or synthetic and natural fibre combined, in bales or boxes Any Quantity----- Natural fibre, in bales or boxes (See Note) Any Quantity----- NOTE.--Natural fibre blankets may have bindings of any material.	200 150	1800
Item canceled. Governing Classification ratings apply.		61810
of Change, Decision No. 81034		
EFFECTIVE		
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	