

ORIGINAL

Decision No. 81142

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation) Case No. 7858
for the purpose of considering and) (Petition for Modification
determining revisions in or re-) No. 144)
issues of Exception Ratings Tariff) (Filed December 12, 1972)
No. 1.)

And Related Matter.) Case No. 5432

OPINION AND ORDER

By this petition, Griffith Laboratories seeks the establishment of a truckload exception rating of Class 35.3, minimum weight 45,000 pounds, for the transportation of Food Curing, Preserving or Seasoning Compounds.¹ The currently established truckload exception ratings on that commodity are Class 55, minimum weight 20,000 pounds, and Class 35, minimum weight 30,000 pounds, as set forth in Item 360 of Minimum Rate Tariff 2 (MRT 2).

Petitioner states that it is engaged in the manufacturing, processing and distribution of food curing, preserving or seasoning compounds for various food industries. Petitioner asserts that it would have no problem loading 45,000 pounds on one unit of carrier's equipment and the proposed exception rating would create transportation conditions more favorable than those which exist under the current exception ratings in MRT 2. Petitioner avers that the more favorable conditions include limitation of carriers' liability, provisions promoting complete utilization of carriers' equipment, requirements that the shipper and consignee load and unload and other provisions which will promote greater carrier efficiency, reduced costs and resultant economies.

The petition was listed on the Commission's Daily Calendar of December 13, 1972. No objection to the granting of the petition has been received.

¹The specific proposal is set forth in Exhibit "A" of the petition.

Commission staff analysis indicates that the favorable transportation characteristics of the commodity involved are similar to various other commodities currently subject to exception ratings named in the Commission's Exception Ratings Tariff 1 and Minimum Rate Tariff 2. The proposal would result in rates lower than the class rates currently applicable to the transportation involved. The staff recommends that the petition be granted by ex parte order.

In the circumstances, the Commission finds that the proposed truckload exception rating is reasonable and that the resulting minimum rates will be just, reasonable and nondiscriminatory minimum rates for the transportation involved. A public hearing is not necessary. The Commission concludes that the petition should be granted to the extent indicated in the order which follows.

IT IS ORDERED that:

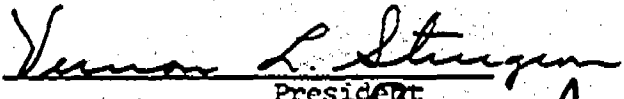
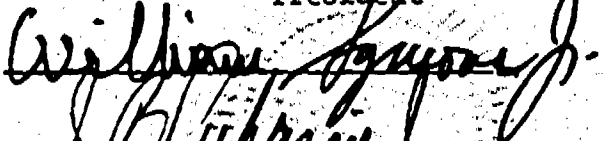
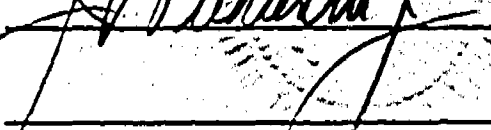

1. Minimum Rate Tariff 2 (Appendix D to Decision No. 31606, as amended) is hereby further amended by incorporating therein, to become effective April 15, 1973, Ninth Revised Page 5-A and Original Page 37-BBB attached hereto and by this reference made a part hereof.
2. Common carriers subject to the Public Utilities Act, to the extent that they are subject to Decision No. 31606, as amended, are hereby 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 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 days after the date hereof.

Dated at San Francisco, California, this 13th day of March, 1973.


President



Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

MINIMUM RATE TARIFF 2

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
Compounds, Flavoring	360	Dessert Preparations	360
Compounds, floor hardening (M)	377.5, 723-726	Diglycerides of Fat-forming	
Compounds, Food Curing, Preserving or Seasoning	347, 360	Fatty Acids	335.5
Compounds, Lard	335.5	Disinfectants	730-732
Compounds, Lubricating and cleaning	730-732	Dough, prepared	336
Compounds, Mud Treating	365	Drain Pipe Solvent	730-732
Compounds or Mud, well drilling	365	Dressing, Automobile Top (M)	377.5, 723-726
Compounds, water softening or purifying	730-732	Dressing, rubber (M)	377.5, 723-726
Concrete products and related articles	334.8	Dressing, Salad	320-1
Confectionery	318.1, 360	Dressing, shoe (M)	377.5, 723-726
Containers (used packages)	330.6-331	Drink, fruit	320
Containers (used packages), malt or cereal beverage	331	Dry Milk Solids	345
Corn	320-1	Egg Yolk	320
Cream, Pasteurized	345	Eggs, Shelled	360
Cream, Sterilized	345	Engines (M)	365
Cream Substitutes	345	Ether (M)	377.5, 723-726
Cribbing	334.8	Exterminators, Vermin (M)	377.5, 723-726
Cross Arms, wooden	690, 710	Extracts	360
Crystals, Citrus Fruit Juice	360	Extracts, coffee or tea (condensed or instant), dry	360
Cylinders, Well Pump	365	Farina	652-654
Dairy and Related Products	335.5	Feed as described under the heading of "Feed Group" in the Governing Classification, not frozen	652-654
Deodorants	730-732	Feed, Animal	338, 620, 630
		Feed, Animal or Poultry	652-654
(M) Denotes articles on which application of rates is limited to mixed shipments.			
(1) Eighth Revised Page 5-A was suspended by Supplement 99.			
Change) * Addition) Decision No. 81142			
EFFECTIVE			
Correction ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.			

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>Food Curing, Preserving or Seasoning Compounds, NOI (73220) (Subject to Notes 1 through 10)</p> <p>Truckload:</p> <p>Minimum Weight 45,000 pounds----- (Subject to Notes 1 through 9)</p> <p>NOTE 1.--Applies only when all provisions of the following notes are met. Otherwise, provisions of the Governing Classification or of this tariff shall apply.</p> <p>NOTE 2.--Rates resulting from application of the provisions of this item may not be used in combination with any other rates.</p> <p>NOTE 3.--Applies only in connection with prepaid shipments released to one-half of actual value or 50 cents per pound per article, whichever is less. Shipper must enter the following statement on the bill of lading or shipping document:</p> <p style="padding-left: 40px;">"The agreed or declared value of the property is hereby stated by the shipper to be one-half of actual value or 50 cents per pound, per article, whichever is less."</p> <p>If shipper fails or declines to declare such value in writing, the provisions of this item will not apply.</p> <p>NOTE 4.--Applies only in connection with shipments loaded by consignor and unloaded by consignee with power equipment, furnished and used without expense to the carrier. In such circumstances, physical assistance of the carrier employee is restricted to work within or on carrier's equipment and does not include sorting, stacking, unstacking, removal or placement of merchandise on pallets.</p> <p>NOTE 5.--Not more than ten component parts shall be permitted in connection with shipments moving in split pickup or split delivery service.</p> <p>NOTE 6.--If more than one vehicle or combination of vehicles constituting a single unit of carrier's equipment is used for the transportation of a single shipment moving under rates in this item, each such vehicle or combination of vehicles shall be subject to the minimum weight named herein.</p> <p>NOTE 7.--The provisions of this item will not apply to shipments for which temperature control service is provided.</p> <p>NOTE 8.--An allowance of one hour free time for loading shall be allowed for each unit of equipment used. Time shall be computed from the time of arrival of carrier's equipment at place of loading or unloading until loading or unloading is completed and equipment is released. Excess loading or unloading time shall be charged for at the rates named in Item 145 herein.</p> <p>NOTE 9.--The free weight of pallets containing commodities moving under provisions of this item is limited to 5% of the weight on which transportation charges are computed.</p> <p>NOTE 10.--When moving in mixed shipments with other commodities not named in this item, the entire shipment shall be subject to the provisions of Notes 4 through 9 hereof.</p>	35.3
<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;"> * Addition ◊ Reduction ◊ Increase </div> <div style="margin-right: 10px;"> } } } </div> <div>Decision No.</div> </div> <div style="text-align: center; font-size: 1.5em; margin-top: 10px;">81142</div>	*66 347
EFFECTIVE	
<div style="display: flex; justify-content: space-between;"> <div>Correction</div> <div>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</div> </div>	