Decision No. 81412

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 and highway carriers relating to the transportation of uncrated new furniture (commodities for which rates are provided in Minimum Rate Tariff No. 11-A).

Case No. 5603
Petition for Modification
No. 117
(Filed December 21, 1972)

Richard W. Smith and Arlo D. Poe,
Attorneys at Law, and Herbert W.
Hughes, for California Trucking
Association, petitioner.
Everest A. Benton and Jerome Parke,
for the Commission staff.

OPINION

On December 21, 1972, California Trucking Association (petitioner) filed Petition for Modification No. 117 seeking a 3 percent increase in the minimum rates and charges in Minimum Rate Tariff 11-A (MRT 11-A).

Public hearing was held before Examiner O'Leary on March 6, 1973 at San Francisco. The matter was submitted subject to the filing of Exhibit 3 which was filed March 9, 1973.

Evidence was presented by petitioner's Southern California Supervisor of its division of economics. Two representatives from the Commission's Transportation Division staff assisted in the development of the record through cross-examination of petitioner's witness.

The last decision authorizing increased rates in MRT 11-A was Decision No. 50210 dated June 27, 1972. Said increased rates were based on costs including labor and allied costs effective January 1, 1972 and July 1, 1972.

Evidence presented by petitioner (Exhibit 1) discloses that effective January 1, 1973 the hourly labor costs of terminal employees, local drivers, and long line drivers have increased by 6.14 percent, 5.98 percent, and 5.83 percent, respectively, pursuant to current labor agreements with Teamster Unions, increased workmen's compensation insurance premiums, and increased payroll taxes. The evidence further shows that because of these increased costs the increased overall cost of performing the transportation ranges from 3.62 percent to 5.76 percent.

Except for Charges for Accessorial Services or Delays (Item 90), petitioner seeks generally a 3 percent increase in the rates and charges in MRT 11-A. Petitioner seeks a 5.93 percent increase for the rates set forth in Item 90 since said rates are based solely on labor costs.

Findings

- 1. The minimum rates set forth in MRT 11-A reflect wage costs and allied payroll expenses effective generally as of July 1, 1972.
- 2. Highway carriers who are engaged in for-hire transportation services subject to the provisions of MRT 11-A have experienced further labor cost increases effective generally as of January 1, 1973.
- 3. The wage cost increases experienced by highway carriers as of January 1, 1973 are allowable labor cost increases under the existing provisions of Rule 23.1 of the Commission's Rules of Practice and Procedure.
- 4. The present rates named in MRT 11-A are below the level of just, reasonable, and nondiscriminatory minimum rates to the extent that such rates do not reflect the carrier's costs of service as of January 1, 1973.
- 5. The adjustment in MRT 11-A rates developed by petitioner results in an average rate increase of approximately 3 percent, except for Item 90 rates wherein the adjustment results in an increase of approximately 6 percent. Such adjustment in rates is within the guidelines set forth in Rule 23.1 of the Commission's

The increases found justified herein apply to the rates which the Commission has

transportation of uncrated new furniture.

justified as of January 1, 1973 and does not reflect future inflationary expecta-

The increase in minimum rates is required to assure continued, adequate, and safe service by highway carriers engaged in for-hire transportation of property within

established as minimum rates for the

The rate increase takes into account

-3-

obtainable productivity gains.

(b) The increase in minimum rates is cost

tions.

(d)

California.

- (e) The dollar amount of additional revenues which the rate increase is expected to provide the carriers collectively is about \$208,468.
- (f) The additional revenue has been computed to be the amount sufficient only to offset like increases in the highway carriers labor costs as of January 1, 1973. It is expected, therefore, that the effect, if any, of the rate increase upon carrier earnings will be minimal and will not increase the carriers overall rate of return on capital.
- (g) Pursuant to reasonable opportunity for participation by all interested parties at a public hearing in this matter, no other highway carrier appeared to present evidence expressing a willingness and capacity to perform the transportation service at the existing level of rates.

The Commission concludes that Petition for Modification No. 117 should be granted.

ORDER

IT IS ORDERED that:

- 1. Minimum Rate Tariff 11-A (Appendix A of Decision No. 50114, as amended) is further amended by incorporating therein, to become effective June 21, 1973, the revised pages attached hereto and listed in Appendix A also attached hereto, which revised 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 also to Decision No. 50114, as amended, are hereby directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered herein.
- 3. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff 11-A are authorized to increase such rates only to the level of Minimum Rate Tariff 11-A rates authorized herein.

- 4. Tariff publications required or authorized 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; such tariff publications as are required shall be made effective not later than June 21, 1973; and as to tariff publications which are authorized but not required, the authority herein granted shall expire unless exercised within sixty days after the effective date hereof.
- 5. Common carriers, in establishing and maintaining the rates 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 rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.
- 6. In all other respects, Decision No. 50114, 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 220%
day of	MA	Y 1, 1973.	
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C. 5603 (Pet. 117)

APPENDIX A

LIST OF REVISED PAGES TO MINIMUM RATE TARIFF 11-A

EIGHTEENTH REVISED PAGE 6

SEVENTEENTH REVISED PAGE 7

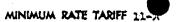
TWENTY-FIRST REVISED PAGE 15

EIGHTH REVISED PAGE 15-A

EIGHTEENTH REVISED PAGE 16

(END OF APPENDIX A LIST)

	•	APPLICATION OF RATES		
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	charge per shipmen out not less than:	nt shall be the charge	for 100 pounds	at the	
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	ents per shipment v to destination exc	when the constructive	distance from po	int of	١.
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transportation.					
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SECTION 3--RATES

TIEM

DISTANCE RATES IN CENTS PER 100 POUNDS (See Note 1)

MILES		Any Quantity		Minimum 500 Po		Minimum Weight 2,000 Pounds	
)ver	But Not Over	Column A (See Note 2)	Column B (See Note 3)	Column A (See Note 2)	Column B (See Note 3)	Column A (See Note 2)	Column B (See Note 3)
0	S	408	351	281	242	222	191
5.	10	421	362	295	254	236	203
70	15 20	434	373	308	265	249	214
15	20	##8	385	321	276	263	226
20	25	461	396	335	288	276	237
25	30	475	409	347	298 -	288	248
30	35.	487	419	359	309	301	259
35	40	500	430	372	320	313	269
40	45	512	440	384	330	325	280
45	50	524	451.	397	341	338	291
50	60	540	464	412	354	353	304
60	70	555	477	427	367	369	31.7
70	80	570	490	euu.	381	384	330
80	90	586	504	458	394	400	344
90	100	602	518	474	408	42.5	357
		616					200
100	770		530	488	420	430	370
170	120	630	542	503	433	thit	382
120	130	645	555	517	445	458	394
130	140	659	567	531	457	473	407
140	150	674	580	546	470	487	419
150	360	686	590	558	480	500	430
160	170	698	600	571	491	512	440
170	180	711	611	583	501.	524	451
180	190	723	522	595	512	537	462
190	200	735	632	608	523	549	472

(Continued in Item 405)

NOTE 1.—Rates in this item apply only when point of origin is an established depot. When point of origin is other than an established depot, add the additional rate provided in Item 60 to the rate provided in this item. The sum of these rates shall be the rate applicable for a single shipment from point of origin to point of destination.

NOTE 2.—Column A rates apply to shipments of articles which have an LTL class rating of 175 or higher in the Governing Classification. (See Notes 4, 5 and 6)

NOTE 3.--Column B rates apply to shipments of articles which have an LTL class rating of less than 175 in the Governing Classification. (See Notes 4, 5 and 6)

NOTE 4. --When there are two or more ratings (sub-numbers) under individual items describing articles of furniture in the Governing Classification, the highest rating shall apply. (See Note 6)

NOTE 5 .-- The LTL class ratings applicable under Notes 2, 3 and 4 above are not subject to the provisions of Items (Rules) 423 and 687 of the Governing Classification.

NOTE 6.--The provisions of Notes 2, 3 and 4 herein do not apply to items describing articles of furniture in the Governing Classification for which the applicable rate column is specifically set forth in Item 155 of this tariff.

Olocrease, Decision No.

81412

EFFECTIVE

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

Correction

SECTION 3--RATES (Continued)

ITEM.

DISTANCE RATES IN CENTS PER 100 POUNDS (See Note 1)

	Weight Pounds		Minimum Weight 500 Pounds		MILES But Any Quantity		M.	
		Column A (See Note 2)	A Column B 2) (See Note 3)		Column B (See Note 3)	Column A (See Note 2)	Not Over	ver
1	487	566	538	625	648	753	220	200
Æ	499	580	553	643	662	770	240	220
1	518	602	568	660	678	788	260	240
1	532	619	583	678	692	805	280	260
1	547	636	598	695	708	823	300	280
	568	660	618	719	728	847	325	300
	588	684	639	743	748	870	350	325
J.	609	708	659	766	769	894	375	350
1.	629	731	679	790	789	918	400	375
1	649	755	700	814	809	941	425	400
1.	670	779	720	837	830	965	450	425
į.	690	802	740	861	851	989	475	450
	710	826	761	885	870	1012	500	475
	731	850	781	908	891	1036	525	500
1	75 1	873	802	932	912	1060	550	525
1	771	897	822	956	932	1084	575	550
-1-	792	921	843	980	952	1107	600	575
1	813	945	863	1003	973	1131	625	600
. 1	832	968	883	1027	993	1155	650	625
		(See Not	e Note 6)				650	

NOTE 1.—Rates in this item apply only when point of origin is an established depot. When point of origin is other than an established depot, add the additional rate provided in Item 60 to the rate provided in this item. The sum of these rates shall be the rate applicable for a single shipment from point of origin to point of destination.

NOTE 2.——Column A rates apply to shipments of articles which have an LTL class rating of 175 or higher in the Governing Classification. (See Notes 4, 5 and 7)

NOTE 3.--Column B rates apply to shipments of articles which have an LTL class rating of less than 175 in the Governing Classification. (See Notes 4, 5 and 7)

NOTE 4.--When there are two or more ratings (sub-numbers) under individual items describing articles of furniture in the Governing Classification, the highest rating shall apply. (See Note 7)

NOTE 5.--The LTL class ratings applicable under Notes 2, 3 and 4 above are not subject to the provisions of Items (Rules) 423 and 687 of the Governing Classification.

NOTE 6.--For each 25 miles (or fraction thereof) in excess of 650 miles, add to the rate for 650 miles the following:

Column A: 24 cents per 100 pounds Column B: 21 cents per 100 pounds

NOTE 7.--The provisions of Notes 2, 3 and 4 do not apply to items describing articles of furniture in the Governing Classification for which the applicable rate column is specifically set forth in Item 155 of this tariff.

o Increase, Decision No.

81412

EPPECTIVE

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.

SAN FRANCISCO, CALIFORNIA.

SECTION 3--RATES (Concluded)

ITEM

POINT-TO-POINT RATES IN CENTS PER 100 POUNDS (See Notes 1 and 2)

Betweens	Any Quantity		Minimum Weight 500 Pounds		Minimum Weight 2,000 Pounds		
Los Angeles Territory AND: San Francisco Territory (See Item 300)	Column A (See Note 3)	Column B (See Note 4)	Column A (See Note 3)	Column B (See Note 4)	Column A Column B (See Note 3) (See Note 4)		
•	918	789	790	680	731 629		

NOTE 1.—Rates in this item apply only when point of origin is an established depot. When point of origin is other than an established depot, add the additional rate provided in Item 60 to the rate provided in this item. The sum of these rates shall be the rate applicable for a single shipment from point of origin to point of destination.

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NOTE 2.—If charges accruing under rates in this item, applied on shipments from, to or between points intermediate between the Los Angeles and San Francisco-Territories via routes shown in Item 500 are lower than charges accruing under the Distance Rates in Items 400 and 405, on the same shipment, such lower charges will apply. Rates in this item applied to intermediate points under these provisions apply at all points located within a distance of one actual highway mile on either side of the authorized route and at all points located within incorporated cities through which the highway route passes.

NOTE 3.--Column A rates apply to shipments of articles which have LTL class rating of 175 or higher in the Governing Classification. (See Notes 5, 6 and 7)

NOTE 4.—Column B rates apply to shipments of articles which have LTL class rating of less than 175 in the Governing classification. (See Notes 5, 6 and 7)

NOTE 5.—When there are two or more ratings (sub-numbers) under individual items describing articles of furniture in the Governing Classification, the highest rating shall apply. (See Note 7)

NOTE 6.—The LTL class ratings applicable under Notes 3, 4 and 5 above are not subject to the provisions of Items (Rules) 423 and 687 of the Governing Classification.

NOTE 7.—The provisions of Notes 3, 4 and 5 do not apply to items describing articles of furniture in the Governing Classification for which the applicable rate column is specifically set forth in Item 155 of this tariff.

♦ Increase, Decision No.

81412

EFFECTIVE

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