

ORIGINAL

Decision No. 82053

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 relat-)
 ing 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. 752)
 (Filed May 29, 1973)

OPINION AND ORDER

Minimum Rate Tariff 2 (MRT 2) names minimum rates and rules for the statewide transportation of general commodities by highway carriers. By this petition, California Trucking Association seeks the establishment of certain exception ratings in MRT 2 for the transportation of fresh meats.¹

Petitioner states that fresh meats are currently transported at class rates in accordance with ratings named in National Motor Freight Classification A-13 (Governing Classification) and points out that fresh meats were subject to exception ratings as set forth in Item 376 of MRT 2 on and prior to May 15, 1973. Petitioner avers that these exception ratings expired on the aforementioned date pursuant to action of the Commission in the exception ratings phase of its classification transition program. Petitioner asserts that the proposed class ratings, minimum weights and other provisions would more appropriately reflect circumstances

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

and conditions governing the transportation of fresh meats than those currently prescribed in the Governing Classification. Petitioner declares that the proposed rating of Class 35.1, minimum weight 42,000 pounds, is significantly below the level previously available to shippers under MRT 2 and the circumstances and conditions surrounding the transportation of fresh meats in California are different than those applicable nationally.

Copies of the petition were mailed to various chambers of commerce, shipper organizations, carrier representatives and other interested parties on or about May 25, 1973. The petition was listed on the Commission's Daily Calendar of May 31, 1973. No objection to the granting of the petition has been received.

In the circumstances, the Commission finds that petitioner's proposal is reasonable and the resulting rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation involved and, to the extent that said rates and charges may result in increases, such increases are justified. A public hearing is not necessary. The Commission concludes that the petition should be granted.

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 November 30, 1973, Tenth Revised Page 37-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 increases necessary to conform with the further adjustments ordered herein.
3. 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 November 30, 1973; and as to tariff publications which are authorized but not required, the authority shall expire unless exercised within sixty days after the effective date of 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.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 30th day of October, 1973.

Vernon L. Sturgeon
President
William J. Quinn

[Signature]
Commissioners

-3- Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

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

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