

ltc

Decision No. 83112

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
tion into the rates, rules,)
regulations, charges, allow-)
ances, 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. 798
(Filed April 18, 1974)

OPINION AND ORDER

Petitioner, H. S. Crocker Co., Inc., is engaged in manufacturing, processing and distributing various commodities, including paper labels and boxes, and ships such products between various points in California by highway carriers. By this petition, it seeks to have the truckload exception rating of Class 50.1, minimum weight 30,000 pounds, canceled from Minimum Rate Tariff 2 (MRT 2).¹

After reviewing the aforementioned exception rating which was established January 11, 1974, petitioner states that it finds that a strict interpretation of the provisions governing said rating imposes upon the shipper a penalty increase rather than a reduction. Petitioner avers that said truckload exception rating applies only to shipments which are power loaded and unloaded under specified conditions and such rating supersedes the lower truckload rating of Class 35, minimum weight 36,000 pounds, for said shipments in the Governing Classification.

¹The rating and governing provisions are set forth in detail in Item 363 of MRT 2.

Petitioner alleges that the inequity of this exception rating becomes apparent when one realizes that those shippers who hand load and/or unload the heavier shipments qualify for the lower Class 35 rating in the Governing Classification and benefit from: (1) the more liberal allowance for loading time; (2) the application of the overflow or follow lot provisions of MRT 2; and (3) the reduced ratings applicable under the Special Volume Incentive Service provisions of the tariff.

Copies of the petition were mailed to California Manufacturers Association, California Trucking Association and Fibreboard Corporation on or about April 16, 1974. The petition was listed on the Commission's Daily Calendar of April 19, 1974. No protest 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 in question and, to the extent that increases may be involved, 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 hereby further amended by incorporating therein to become effective August 10, 1974, Forty-third Revised Page 4, Forty-sixth Revised Page 6 and First Revised Page 37-CCCC, 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 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 this order 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 August 10, 1974; 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 rating authorized by this order, are 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 rating 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 9th day of July, 1974.

Vernon L. Sturgeon
President
William Synner, Jr.
William H. ...
...
...
Commissioners

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	Bars, truss (iron or steel)	760,764,765
Air Compressors (M)	365	Bases, post (iron or steel)	760,764,765
Ale	310,360	Batteries, electric (M)	377.5,723-726
Alfalfa, chopped and pressed, dried	652-654 ⁴	Beams, reinforced concrete	318
Ammonia, cleaning	730-732	Beans, iron or steel	760,764,765
Animal Feed	338,620,630	Bean Dip (M)	335.7
Angles, iron or steel	760,764,765	Beans, Castor	652-654 ⁴
Anvils (M)	365	Beans and Pork	320-1
Apples, dried	350	Beers	310,360
Arms, Cross, wooden	690,691,710	Belts (M)	365
Articles, concrete or tile	318 ⁴	Beverage Containers	330
Articles, iron or steel	760,764,765	Beverage Preparations	335.7,360
Articles, paper	770	Beverages	316,360
Asbestos Lumber	761,767	Beverages, flavored (M)	335.7
Asbestos Millboard	761,767	Beverages, Malt or Cereal	310
Asbestos Ridge Roll	761,767	Billets, iron or steel	760,764,765
Asbestos Roofing or Sheathing	761,767	Bits, Drilling	365
Asphalt (Asphaltum) (M)	762,767	Bleach, Laundry	730-732
Asphalt or Asphalt Base Paving Joints	761,767	Blocks, building	334.8
Asphalt Shingles, coated or not coated	761,767	Bluing, Laundry (M)	360
Asphalt Flooring Compound, solid	761,767	Boards	690,710
Asphalt, Liquid	377.5,723-726	Boards, wall (Plaster boards)	762,767
Asphaltic Sewer Pipe Joints	761,767	Boiler Flues; Boiler Parts (M); Boilers (M); Boiler Tubes	365
Asphalt, Solid	303	Bolts	760,764,765
Atmospheric Water Cooling Towers (M)	365	Books, School Textbooks	317
Bakery Goods	335.7,360	Borax	730-732
Bananas, powdered	350	Boxes, Planter	758
Bands, iron or steel	760,764,765	Boxes, fibreboard, paper, paperboard or pulpboard	** 770
Barrels, Pump Working	365	Braces, iron or steel	760,764,765
Bars, Grate (iron or steel)	365	Brandy	360
Bars, plain, corrugated, twisted or bent (iron or steel)	760,764,765	Breads	320
		Brick, Fire (M)	365
		Brine	320
		Broths	320
		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.

Change)
** Eliminated) Decision No. 83112

EFFECTIVE

Correction

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

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
Figs, powdered	350	Gelatine	360
Fire Brick(M)	365	Generators, Electric(M)	365
Fire Clay(M)	365	Germs, wheat	652-654
Fish (animal feed)	338	Girders, reinforced concrete	318
Fish, cooked, pickled or preserved	320, 345	Girders, iron or steel	760, 764, 765
Fish, fresh, frozen	775	Glucose	360
Fish Loins, frozen	775	Grain Products as described under the heading "Grain Products" in the Governing Classification	652-654½
Fish, other than fresh or frozen	360	Grate Bars, iron or steel	365
Fish Roe	320	Grit, processed from rock or shell	652-654½
Fittings, Pipe (iron or steel)	365, 378, 760	Groceries and Grocers' Supplies	360
Flavoring Compounds	764, 765	Guides, elevator (iron or steel)	760, 764, 765
Flour, Bean	360	Gum, Chewing	360
Flour, cooked	652-654½	Hangers, joist (iron or steel)	760, 764, 765
Flour, edible	339	Hominy	320-1
Flour, gelatinized	360	Honey	320, 360
Flour, Grain	339	Hoops, iron or steel	760, 764, 765
Flour, Potato	339	Horseradish	360
Flour, prepared, edible	339, 652-654½	Horseradish, prepared	320-1
Flour, Rice	339, 652-654½	Hulls, viz.: cocoa bean, cottonseed, nut, sunflower, whole or ground	652-654½
Flour, Soybean	339	Ice	660
Flour, Tapioca	652-654½	Ice Cream	335.6
Flues, Boiler	365	Icings	360
Pondant, Candy	360	Ingot's, iron or steel	760, 764, 765
Food, Baby	320	Ingredients, Dinner or Soup	360
Food, Cereal	360	Insecticides(M)	377.5, 723-726
Food, Milk, other than malted, liquid	320	Iron, plate or sheet(M)	365
Food, prepared	360	Iron and Steel, structural, fabricated or unfabricated	760, 764, 765
Food Preparations, Cereal(M)	360	Jam; Jelly	320
Foodstuffs for human consumption	345, 620, 630	Joints, Sucker Rod (iron or steel)	365
Forging, rough (iron or steel)	760, 764, 765	Joists (reinforced concrete)	318
Frames, circular (iron or steel)	760, 764, 765	Juice, Apple(M)	335.7
Fruit (not dried, evaporated nor fresh)	320	Juice, citrus fruit(M)	335.7
Fruit, candied, crystallized, glazed or stuffed	360	Juice, Clam	320
Fruit, crushed	320	Juice, Fruit	320, 335.7
Fruits, dried or evaporated	350	Juice, grape(M); Juice, prune(M)	335.7
Fruit Drink	320	Junk (waste paper and rags)	765
Fruit Juice Powders or Crystals, Citrus	360	**	
Fruit Peel, candied, crystallized, glazed or stuffed	360	Ladder assemblies, tank or tower (iron or steel)	760, 764, 765
Fruit Syrups	360	Lard; Lard Compounds; Lard Substitutes	335.5
Fuel, Wood	729		
Gardening or Landscaping Products	370		
Garlic Chips; Garlic Powder	320		
Gas, petroleum liquefied	377.5, 723-726		
Gears, running, steam boiler(M)	365		

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

** Eliminated, Decision No. 83112

EFFECTIVE

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

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	
Item canceled. Governing Classification rating applies.		600 363
◊ Change) ◊ Increase) Decision No. 83112 ◊ Reduction)		
EFFECTIVE		
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.		
Correction		