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, 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. 798
(Filed April 13, 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).

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.

The rating and governing provisions are set forth in detail in Item 363 of NRT 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 \mathcal{G}^{E} day of July, 1974.

Commissioner

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.

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Asphaltic Sewer Pipe Joints Asphalt, Solid Asphalt, Solid Atmospheric Water Cooling Towers (M) Bakery Goods Bananas, powdered Bananas, powdered Barrels, Pump Working Bars, Grate (iron or steel) Bars, plain, corrugated, twisted or bent (iron or	Asphaltic Sewer Pipe Joints Asphalt, Solid Asphalt, Solid Atmospheric Water Cooling Towers (M) Bakery Goods Bananas, powdered Bananas, powdered Barrels, Pump Working Bars, Grate (iron or steel) Bars, plain, corrugated, twisted or bent (iron or	Asphalt, Liquid	377-5-723-726		730-732
Asphalt, Solid Atmospheric Water Cooling Towers (M) Bakery Goods Bananas, powdered Bananas, powdered Barrels, Pump Working Bars, Grate (iron or steel) Bars, plain, corrugated, twisted or bent (iron or Bashalt, Solid Books, fibreboard, paper, paperboard or pulpboard Fraces, fibreboard, paper, paperboard or pulpboard Fraces, fibreboard, paper, paperboard or pulpboard Fraces, fibreboard, paper, paper, paperboard or pulpboard Fraces, fibreboard, paper, paper, paperboard, paper, paperboard or pulpboard Fraces, fibreboard, paper, paperboard, paper, paperboard or pulpboard Fraces, fibreboard, paperboard or paperboard o	Asphalt, Solid Atmospheric Water Cooling Towers (M) Bakery Goods Bananas, powdered Bananas, powdered Barrels, Pump Working Bars, Grate (iron or steel) Bars, plain, corrugated, twisted or bent (iron or Bashalt, Solid Books, fibreboard, paper, paperboard or pulpboard Fraces, fibreboard, paper, paperboard or pulpboard Fraces, fibreboard, paper, paperboard or pulpboard Fraces, fibreboard, paper, paper, paperboard or pulpboard Fraces, fibreboard, paper, paper, paperboard, paper, paperboard or pulpboard Fraces, fibreboard, paper, paperboard, paper, paperboard or pulpboard Fraces, fibreboard, paperboard or paperboard o	Asphaltic Sewer Pipe Joints	761.767	Boxes, Planter	758
Atmospheric Water Cooling Towers (M) Bakery Goods Bananas, powdered Bands, iron or steel Barrels, Pump Working Bars, Grate (iron or steel) Bars, plain, corrugated, twisted or bent (iron or Towers (M) 365 Braces, iron or steel Brandy Brandy Braces, iron or steel Brandy Braces, iron or steel Brandy Braces, iron or steel Brandy Brandy Braces, iron or steel Brandy Braces, iron or steel Brandy Brandy Braces, iron or steel Brandy Brand	Atmospheric Water Cooling Towers (M) Bakery Goods Bananas, powdered Bands, iron or steel Barrels, Pump Working Bars, Grate (iron or steel) Bars, plain, corrugated, twisted or bent (iron or Towers (M) 365 Braces, iron or steel Brandy Brandy Braces, iron or steel Brandy Braces, iron or steel Brandy Braces, iron or steel Brandy Brandy Braces, iron or steel Brandy Brandy Braces, iron or steel Brandy		,	gBoxes, fibreboard, paper,	
Towers (M) Bakery Goods Bananas, powdered Bananas, iron or steel Barrels, Pump Working Bars, Grate (iron or steel) Bars, plann, corrugated, twisted or bent (iron or 365 Braces, iron or steel Brandy B	Towers (M) Bakery Goods Bananas, powdered Bananas, iron or steel Barrels, Pump Working Bars, Grate (iron or steel) Bars, plann, corrugated, twisted or bent (iron or 365 Braces, iron or steel Brandy B				**.770
Bakery Goods 335.7,360 Breads 320 Bananas, powdered 350 Brick, Fire (M) 365 Bands, iron or steel 760,764,765 Brine 320 Barrels, Pump Working 365 Broths 320 Bars, Grate (iron or steel) 365 Butter 335.5 Bars, plain, corrugated, Butter, Fruit 320 twisted or bent (iron or Butter, Peanut 320-1	Bakery Goods 335.7,360 Breads 320 Bananas, powdered 350 Brick, Fire (M) 365 Bands, iron or steel 760,764,765 Brine 320 Barrels, Pump Working 365 Broths 320 Bars, Grate (iron or steel) 365 Butter 335.5 Bars, plain, corrugated, Butter, Fruit 320 twisted or bent (iron or Butter, Peanut 320-1		365	Braces, iron or steel	760,764,765
Bananas, powdered 350 Brick, Fire (M) 365 Bands, iron or steel 760,764,765 Brine 320 Barrels, Pump Working 365 Broths 320 Bars, Grate (iron or steel) 365 Butter 335.5 Bars, plain, corrugated, Butter, Fruit 320 twisted or bent (iron or Butter, Peanut 320-1	Bananas, powdered 350 Brick, Fire (M) 365 Bands, iron or steel 760,764,765 Brine 320 Barrels, Pump Working 365 Broths 320 Bars, Grate (iron or steel) 365 Butter 335.5 Bars, plain, corrugated, Butter, Fruit 320 twisted or bent (iron or Butter, Peanut 320-1	Bakery Goods	335.7.360		1
Bands, iron or steel 760,764,765 Brine 320 Barrels, Pump Working 365 Broths 320 Bars, Grate (iron or steel) 365 Butter 335,5 Bars, plain, corrugated, Butter, Fruit 320 twisted or bent (iron or Butter, Peanut 320-1	Bands, iron or steel 760,764,765 Brine 320 Barrels, Pump Working 365 Broths 320 Bars, Grate (iron or steel) 365 Butter 335,5 Bars, plain, corrugated, Butter, Fruit 320 twisted or bent (iron or Butter, Peanut 320-1				
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Bars, Grate (iron or steel) 365 Bars, plain, corrugated, Evisted or bent (iron or Butter, Fruit 320 Butter, Peanut 320-1	Bars, Grate (iron or steel) 365 Bars, plain, corrugated, Evisted or bent (iron or Butter, Fruit 320 Butter, Peanut 320-1			1	
Bars, plain, corrugated, Butter, Fruit 320 twisted or bent (iron or Butter, Peanut 320-1	Bars, plain, corrugated, Butter, Fruit 320 twisted or bent (iron or Butter, Peanut 320-1			u	
twisted or bent (iron or Butter, Peanut 320-1	twisted or bent (iron or Butter, Peanut 320-1				
			;		
3337.	TARBIADARA I AMADAMAN I GRANAL		760 - 764 - 765		
			1		

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

of Change Decision No. 83112

EFFECTIVE

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	Golatine	360
Fire Brick (M)	365	Generators, Electric (M)	365
Pire Clay(M)	365	Germs, wheat	652-654
Fish (animal food)	338	Girders, reinforced	1
	336		318
Fish, cooked, pickled or		concrete	
preserved	320, 345	Girders, iron or steel	760, 764, 765
Fish, fresh, frozen	775	Glucose	360
Fish Loins, frozen	775	Grain Products as described	
Fish, Other than fresh	(1)	under the heading "Grain	
or frozen	360	Products" in the Govern-	i
Fish Roe	320	ing Classification	652-6544
			365
Fittings, Pipe (iron or	365, 378, 760	Grate Bars, iron or steel	303
steel)	764, 765	Grit, processed from	1
Flavoring Compounds	360	rock or shell	652-6545
Flour, Bean	652-6545	Groceries and Grocers'	,
flour, cooked	339	Supplies	360
	360	Guides, elevator (iron or	1
Flour, edible			760, 764, 765
Flour, gelatinized	339	steel)	
Flour, Grain	339	Gum, Chewing	360
Flour, Potato	339, 652-6544		1
Flour, prepared, edible	339, 652-6545	Hangers, joist (iron or	*
Flour, Rice	339, 652-6545	steel)	760, 764, 765
		Hominy	320-1
Flour, Soybean	339		
Flour, Tapioca	652-6545	Honey	320, 360
Flues, Boiler	365	Hoops, iron or steel	760, 764, 765
Fondant, Candy	360	Horseradish	360
Food, Baby	320	Horseradish, prepared	320-1
Food, Cereal	360	Hulls, viz.: cocoa bean,	}
	1	cottonseed, nut, sun-	,
Food, Milk, Other than	1		CED-CELL
malted, liquid	320	flower, whole or ground	652-6545
Food, prepared	1360		1
Food Preparations, Cereal (M)	360	Ice	660
Foodstuffs for human	1	Ice Cream	335.6
	248 620 620	Icings	360
consumption	345, 620, 630		1 * * *
Forging, rough (iron or	1	Ingots, iron or steel	760, 764, 765
steel)	760, 764, 765	Ingredients, Dinner or Soup	360
Frames, circular (iron or		Insecticides (M)	377.5, 723-72
steel)	760, 764, 765	Iron, plate or sheet (M)	365
	1.00, .00,	Iron and Steel, structural,	****
Fruit (not dried, evaporated	320	fabricated or unfabricated	760 764 765
nor fresh)	1320	Tanking of all aniing	1002 1042 10.
Fruit, candied, crystallized,	1	II	200
glaced or stuffed	360	Jam, Jelly	320
Fruit, crushed	320	Joines, Sucker Rod (iron	1
Fruits, dried or evaporated	350	or steel)	365
	320	Joists (reinforced concrete)	318
Fruit Drink	J20		335.7
Fruit Juice Powders or	1	Juice, Apple (M)	
Crystals, Citrus	360	Juice, citrus fruit(M)	335-7
Fruit Peel, candied, crystal-	1	Juice, Clam	320
lized, glaced or stuffed	360	Juice, Fruit	320, 335.7
	360	Juice, grape(M); Juice,	1
Fruit Syrups	729	prune (M)	335-7
Fuel, Wood	147		765
		Junk (waste paper and rags)	103
Gardening or Landscaping	1	1	
Products	370	**	
Garlic Chips; Garlic Powder	320	Ladder assemblies, tank or	1
Gas, petroleum liquefied	377.5, 723-726	tower (iron or steel)	760, 764, 765
Gears, running, steam	1	Lard: Lard Compounds: Lard	
	i .	11	1
boiler (M)	365	Substitutes	335.5

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

** Eliminated, Decision No. 83112

Correction

EFFECTIVE

-6-

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



EXCEPTIONS TO COVERNING 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. Coverning Classification rating applies	•							
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				363					
				10.					
	ø Change) o Increase) Decision No. 83112 o Reduction)								
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