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Decision No. 83359

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
tion for the purpose of consid-)
ering and determining revisions)
in or reissues of Exception)
Ratings Tariff No. 1.)
And Related Matter)

Case No. 7858
(Petition for Modification
No. 144)

Case No. 5432

SUPPLEMENTAL OPINION AND ORDER

Decision No. 81142 of March 13, 1973, in these proceedings established an exception rating in Minimum Rate Tariff 2 of Class 35.3, minimum weight 45,000 pounds, applicable to Food Curing, Preserving or Seasoning Compounds.¹

It has been brought to the Commission's attention that the provisions pertaining to free time allowance for loading of the aforementioned commodities are not clear.

In the circumstances, the Commission finds that the tariff provisions in question should be clarified by the order herein. A public hearing is not necessary. The Commission concludes that Minimum Rate Tariff 2 should be amended accordingly.

¹The application of such rating is set forth in Item 347 of Minimum Rate Tariff 2. One hour free time for loading is provided in Note 8 of said item but the provisions therein pertaining to the computation of time erroneously refer to place of unloading and completion of unloading.

Minor changes not involved in this proceeding will also be made by the order herein.²

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 September 27, 1974, Forty-seventh Revised Page 8, Fifty-second Revised Page 9, Eleventh Revised Page 9-A, and First Revised 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 directed to establish in their tariffs the amendment necessary to conform with the further adjustment ordered herein.
3. Tariff publications required 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 and shall be made effective not later than September 27, 1974.
4. Common carriers, in establishing and maintaining the amendment 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 amendment published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

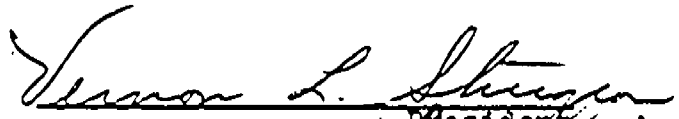
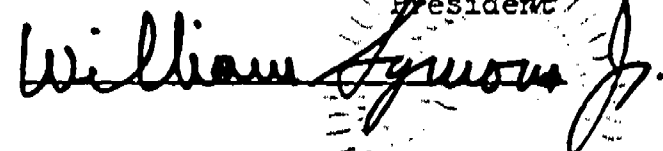


²The Index of Commodities in Minimum Rate Tariff 2 will be amended to include various commodities not currently listed therein.

C. 7858 (Pet. 144) and C. 5432 - ANV

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 27th day of August, 1974.


President



Commissioners

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

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
Paint, asphaltic (M)	377.5,723-726	Pomace	652-654½
Paint, liquid (M)	377.5,723-726	Popcorn, not popped	360.5
Paper	765,770	Popped Corn (M)	360.5
*Paper, Building, Roofing or Sheathing	761,767	Porter	310,360
*Paperboard or Pulpboard	770	Posts	690,710
Parts, Boiler (M)	365	Potatoes, cooked and powdered, other than frozen	360
Paste, Confectionery	360	Potatoes, processed, cooked and powdered	320-1
Paste, Icing	360	Potato Chips (M)	360.5
Paste, Tomato	320-1	Poultry and poultry parts	379
*Paving Joints, expansion	761,767	Poultry Litter (M)	652-654½
Peaches, powdered	350	Powder, Baking	360.5
Peanut Butter	320-1	Powders, Citrus Fruit Juice	360
Peanut Spread	320-1	Powder, Yeast	360.5
Pectin, Fruit or Vegetable	320-1	Power Pumps (M)	365
Peel, fruit, candied, crystallized glazed or stuffed	360	Preservatives, wood (M)	377.5,723-726
Peel, grapefruit, lemon or orange, dried	350	Preserves	320
Petroleum and Petroleum products as described in Governing Classification	377.5, 723-726	Prunes, powdered	350
Pickles	320-1	Puddings	320-1
Pie Mix, Pizza	345	*Pulleys, tank or reservoir	760,764,765
Pie Preparations	320-1	Pulp, Fruit or Vegetable	320,320-1
*Pig Iron	760, 764, 765	Pumps, Power (M)	365
Piling	690,710,760, 764,765	Puree, Tomato	320-1
Pimentos	320-1	Rags	765
*Pipe	760,764,765	*Railings, bridge	760,764,765
Pipe, cast iron pressure	378	*Rails	760,764,765
Pipe, cast iron soil	378	Ravioli (prepared)	320-1
Pipe, iron or steel, cast or wrought, plate or sheet	365	Repellents, insect (M)	377.5, 723-726
Pipe, iron or steel, well casing or drilling	365	Rice-and-Milk	320-1
*Pitch (M)	762,767	Rice, Brewers'	652-654½
Pizza Pie Mix	345	Rice, Cleaned	652-654½
*Plaster Boards (M)	762,767	Rice, dry, and other ingredients	345,360.5
*Plates, iron or steel	760,764,765	Rice, Paddy	652-654½
*Plates, fish	760,764,765	*Rivets	760,764,765
Plywood	690,710	*Rods, iron or steel	760,764,765
Poles	690,710	Rods, Pull (M)	365
Polish, boat, floor, furniture or vehicle	730-732	Rods, Sucker	365
Polish, floor (M)	377.5,723-726	*Roofing, building or paving material	761,767
Polish, furniture (M)	377.5,723-726	*Roofing, composition or prepared	761,767
Polish, metal (M)	377.5,723-726	Rope (M)	365
Polish, vehicle (M)	377.5,723-726	Running Gears, Steam boiler (M)	365
		Sago	360.5

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

* Addition, Decision No.

83359

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Correction

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

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
Salad Dressing Preparations, dry	360	Soap, powder	730-732
Salads(M)	335.7	Sodium Hypochlorite Solution	730-732
Salads, Fish, Macaroni, Meat or Vegetable	320-1,360.5	Softeners, textile	730-732
Salt, common	380, 728.5	Solids, Milk, Cream, Butter-milk or Dry Milk(M)	335.7
Salt(M)	360.5	Solvent(M)	377.5,723-726
Sandwich Spreads	320-1,335.7,345	Solvent, Drain pipe	730-732
Sauce, pepper	320-1	Soups	320
Sauces, basic foods	320-1	Sour, laundry	730-732
Sauces, table	320-1	Soybean Milk Compound	320-1
Sausage	320-1	Spaghetti and Cheese	345
Sausage casings	320-1	Spaghetti, except canned	360.5
Sawdust, Wood	370, 729	Spaghetti (prepared)	320
Sawmill Refuse	729	Spaghetti, dry, and other ingredients	345,360.5
Seeds as described under that heading in the Governing Classification	383,652-6544	Spices	360
Shakes	690,710	Spreads, sandwich	320-1,345
Shavings, Wood	370, 729	Stain, wood(M)	377.5,723-726
*Sheets, black, galvanized, corrugated or plain	760,764,765	Starch	730-732
Sheets, sawdust or ground wood, compressed	685,690,691,710	Steel, plate or sheet	365
Shells, cocoa bean	652-6544	Stout	310,360
Shells, Nut	685,690,691,710,	Sugar	390,740,745
Shingles	761,767	Sugar, beet or cane	390
*Shingles or Siding, asbestos, hard (M)	762, 767	Sugar, corn, sorghum grain or wheat	390
*Shoes, riveted or cast	760,764,765	Supplies, Oil, Water or Gas Well	365
Shook, box or crate	690,710	Syrup	318-1,320-1
Shortening	335.5	Syrup, Malt	360
Slab, building or roofing	318	Syrups, flavoring or fruit	318.1,335.7
Soap	730-732	Syrups, Fruit	360.5
Soap, liquid(M)	377.5,723-726	Table Sauces	320-1
Soap, liquid	730-732	Tankage	759
		Tanks, steel	365
		Tapioca	360.5
		*Tar (M)	762,767

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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
Tea	360.5	Vegetable Oil Shortening	335.5
Tea, extract of (condensed or instant), dry	360.5	Vegetables (not dehydrated, dried, evaporated nor fresh)	320-1
*Teas	760,764,765	Veneering	690,700,710
*Ties, bale	760,764,765	Vermicelli, except canned	360.5
Ties, railroad	690,710	Vermicelli (prepared)	320
Timbers	690,700,710	Vermicelli, dry, and other ingredients	345,360
*Tinplate	760,764,765	Vermouth	400
Tire Tubes (M)	377.5,723-726	Vinegar	320-1
Tires, Pneumatic (M)	377.5,723-726		
Toilet Preparations and other Articles (M)	395-397	*Wallboard, other than plasterboard	762,767
Tools, Mechanics' (M)	365	*Washers	760,764,765
Towers, Water Cooling, Atmospheric (M)	365	Washing Powders	730-732
Triglycerides of Fat-forming Fatty Acids	335.5	Washing Soda	730-732
Trisodium Phosphate	730-732	Wax, automobile, boat, floor or furniture (M)	377.5,723-726
Trucks, Steam Boiler (M)	365	Wax, boat, floor, furniture or vehicle	730-732
*Trusses	760,764,765	Wax, Laundry Compound	360.5
Tubes, Boiler	365	*Weights	760,764,765
Tubing, iron or steel, cast or wrought, plate or sheet	365	Welsh Rarebit	320-1
Tubing, iron or steel, well casing or drilling	365	Wheat Germ	652-654½
*Tubing, pier	760,764,765	Whey	345
Tubs, Woodenware	758	Wine	360,400
*Turnbuckles	760,764,765	Wine, cooking	320-1
Urea	652-654½	*Wire	760,764,765
Valves, iron or brass (M)	365	Wood Preservatives (M)	377.5,723-726
Valves, Pump Working Barrel	365	Wool, Steel	410
Vaults, Grave	334.8	Yeast or Yeast Powder	360.5
Vaults, Utility	334.8	*Zeos	760,764,765

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

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p data-bbox="421 329 961 377">EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued)</p> <p data-bbox="231 395 1169 465">(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.)</p> <p data-bbox="231 482 1245 530">Food Curing, Preserving or Seasoning Compounds, NOI (73220) (Subject to Notes 1 through 10)</p> <p data-bbox="256 548 381 574">TRUCKLOAD:</p> <p data-bbox="294 591 1245 639">Minimum Weight 45,000 pounds----- (Subject to Notes 1 through 9)</p> <p data-bbox="231 657 1229 727">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 data-bbox="231 744 1220 792">NOTE 2.--Rates resulting from application of the provisions of this item may not be used in combination with any other rates.</p> <p data-bbox="231 810 1229 901">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 data-bbox="348 919 1191 989">"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 data-bbox="231 1006 1220 1054">If shipper fails or declines to declare such value in writing, the provisions of this item will not apply.</p> <p data-bbox="231 1072 1245 1207">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 em- ployee is restricted to work within or on carrier's equipment and does not in- clude sorting, stacking, unstacking, removal or placement of merchandise on pallets.</p> <p data-bbox="231 1225 1262 1273">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 data-bbox="231 1290 1245 1382">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 data-bbox="231 1399 1245 1447">NOTE 7.--The provisions of this item will not apply to shipments for which temperature control service is provided.</p> <p data-bbox="231 1465 1229 1579">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 ** until loading ** is com- pleted and equipment is released. Excess loading ** time shall be charged for at the rates named in Item 145 herein.</p> <p data-bbox="231 1596 1229 1666">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 data-bbox="231 1683 1245 1753">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>	<p data-bbox="1280 395 1362 443">Class Rating</p> <p data-bbox="1296 591 1346 618">35.3</p> <p data-bbox="1395 1116 1445 1142">6347</p>
<p data-bbox="289 1801 834 1845">ø Change) Decision No. 83359 ** Eliminated)</p>	
EFFECTIVE .	
<p data-bbox="231 1945 1445 1989">Correction ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	