

ORIGINAL

Decision No. 85643

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)  
 of National Motor Freight Traf- )  
 fic Association, Inc., Agent, )  
 for and on behalf of certain )  
 highway common carriers and )  
 express corporations, for au- )  
 thority to make various revi- )  
 sions in National Motor Freight )  
 Classification NMF-100 B. )

Application No. 56288  
 (Filed February 20, 1976)

In the Matter of the Investiga- )  
 tion for the purpose of consid- )  
 ering and determining minimum )  
 rates for transportation of any )  
 and all commodities statewide )  
 including, but not limited to )  
 those rates which are provided )  
 in Minimum Rate Tariff 2 and the )  
 revisions or reissues thereof. )

Case No. 5432  
 (Petition for Modification  
 No. 880)  
 (Filed February 20, 1976)

And Related Matters )

Case No. 5436, Petition No. 205  
 Case No. 5439, Petition No. 265  
 Case No. 5441, Petition No. 352  
 Case No. 5603, Petition No. 184  
 Case No. 7783, Petition No. 133  
 Case No. 7857, Petition No. 134  
 Case No. 7858, Petition No. 204  
 (Filed February 20, 1976)

OPINION AND ORDER

Various common carriers engaged in intrastate transportation within California participate in National Motor Freight Classification NMF 100 B, hereinafter referred to as the Governing Classification, for class ratings and other provisions. Also, certain Commission minimum rate tariffs are subject to the class ratings and/or other provisions of such classification.

By Application 56288, National Motor Freight Traffic Association, Inc., Agent, seeks authority, on behalf of such common carriers, to reestablish a less-truckload rating of Class 100 for the transportation of hosiery and pant-hose combinations in or on store display racks or stands or in boxes which serve as store display racks or stands when the density of the package is six pounds per cubic foot or greater.<sup>1</sup> By the above petitions, California Trucking Association seeks to make the proposed rating applicable to Minimum Rate Tariffs 1-B, 2, 9-B and 19.

Copies of the application and petitions were mailed to various chambers of commerce, shipper organizations, carrier representatives and other interested parties on or about February 19, 1976. The application and petitions were listed on the Commission's Daily Calendar of February 24, 1976. No objection to the granting of the application and petitions has been received.

In the circumstances, the Commission finds that applicant's and petitioner's proposals are reasonable. A public hearing is not necessary. The Commission concludes that the application and petitions should be granted to the extent indicated in the ensuing order.

---

<sup>1</sup>The proposed change, which is provided in Supplement 24 to the Governing Classification, is set forth in Exhibit A and the related justification is set forth in Exhibit B, both of which are attached to the application. Under the proposal, the less-truckload rating of Class 150 for this transportation will be cancelled.

IT IS ORDERED that:

1. National Motor Freight Traffic Association, Inc., Agent, on behalf of the involved common carriers participating in National Motor Freight Classification NMF 100 B, is authorized to establish and publish the classification rating set forth in Application 56288 to become effective not earlier than April 20, 1976, on not less than one day's notice to the Commission and to the public.

2. The classification rating authorized herein is approved and adopted as the just, reasonable and nondiscriminatory rating to govern the minimum rates and rules promulgated by the Commission in Minimum Rate Tariffs 1-B, 2, 9-B and 19.

3. Tariff publications authorized to be made by common carriers as a result of the order herein may be made effective not earlier than April 20, 1976, and may be made effective on not less than one day's notice to the Commission and to the public if filed not later than June 20, 1976.

4. The classification rating authorized to be established by the order herein is authorized to be made applicable also for the transportation of the involved commodities between points for which minimum rates have not been established.

5. Any provisions currently maintained in common carrier tariffs, which are more restrictive than, or which produce charges greater than, those contained in Minimum Rate Tariffs 1-B, 2, 9-B and 19 are authorized to be maintained in connection with the rating authorized to be established herein.

6. Common carriers, in establishing and maintaining the rating authorized hereinabove, are hereby authorized to depart from the provisions of Section 461.5 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.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 30<sup>th</sup> day of March, 1976.

President  
  
  
Vernon L. Sturgeon  
  
Alon  
  
Robert ...  
Commissioners