

Decision No. 85948

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation
for the purpose of considering and
determining minimum rates for trans-
portation 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. 771
(Second Amendment filed
May 3, 1976)

SECOND SUPPLEMENTAL OPINION

In its original petition filed October 23, 1973, California Trucking Association requested the Commission to direct its staff to develop cost and rate studies of the transportation of lumber, forest products, wood chips, sawmill refuse, and related commodities. Because of workload the staff was unable to conduct the studies, and petitioner on February 4, 1975 filed its First Amendment to its petition requesting the Commission to establish reduced incentive-oriented minimum rates for the transportation of lumber and forest products on an emergency basis so as to ameliorate the adverse conditions then prevailing in the lumber industry and among the highway carriers transporting those products. By Decision No. 84591 dated June 24, 1975, the Commission established the proposed reduced minimum rates on an interim basis to expire June 30, 1976.

By this Second Amendment petitioner requests that the incentive-oriented rates be extended for a period of one year. It also requests that those rates also be made applicable to the transportation of gypsum wallboard. In support of its request for the

extension of the expiration date petitioner states on information and belief that the staff studies it sought in the original petition have been initiated and should be completed so that the Commission may consider them at public hearings within the one-year period. It states that the incentive rates have resulted in a substantial improvement in the marketing and transportation of lumber to the benefit of both shippers and carriers, and have worked so well as an interim measure that other changes are under consideration.

Concerning its proposal regarding gypsum wallboard, petitioner states,

"Petitioner believes that the inclusion of gypsum wallboard in the current lumber rate structure provisions is reasonable and appropriate pending completion of staff studies. In many respects this commodity is similar to a sometimes competitive item, plywood. It is for this reason that it is proposed to add gypsum wallboard to the same commodity group (List B) as plywood. More importantly, however, we are informed that the physical characteristics and the loading and unloading circumstances are very similar. Each of the products have virtually the same cubic dimensions and can load to vehicle carrying capacity. Each is power loaded and unloaded and the same products often move to the same consignees. Value ranges differ. However, plywood is generally more expensive than wallboard - a factor further supporting the inclusion of wallboard in the plywood list. Additionally, however, the movement of wallboard has proprietary potential. Thus, as an interim measure, the addition of this product to the lumber rate structure can have important benefits to the for-hire industry by promoting greater efficiency of carrier operations generally, while recognizing such circumstances through a sharing of such savings with involved shippers."

A copy of petitioner's Second Amendment was served upon shippers and carriers of lumber. No protests have been received by the Commission.

We are informed by our staff that it is actively pursuing the cost and rate studies of the transportation of lumber and forest products. It suggests that in the absence of protest that petitioner's requests be granted.

We are persuaded that the requests should be granted and that a public hearing is not necessary.

SECOND SUPPLEMENTAL ORDER


IT IS ORDERED that:

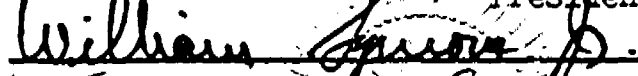
1. Minimum Rate Tariff 2 (Appendix D to Decision No. 31606, as amended) is further amended by incorporating therein, to become effective July 1, 1976, the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix are by this reference made a part hereof.
2. The minimum rates contained in the revised pages shall expire June 30, 1977 unless canceled, modified, or extended by order of the Commission.
3. Tariff publications 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 first day after the effective date of this order on not less than one day's notice to the Commission and to the public.
4. Common carriers, in establishing and maintaining the rates authorized by this order, are 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 rates published


under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

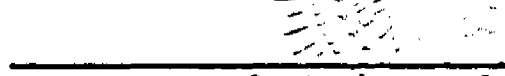
The effective date of this order is June 28, 1976.

Dated at San Francisco, California, this 15th
day of JUNE, 1976.



President






Commissioners

Commissioner Leonard Ross, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

LIST OF REVISED PAGES
TO MINIMUM RATE TARIFF 2

TWELFTH	REVISED	PAGE 9-A
THIRTEENTH	REVISED	PAGE 51-C
TWENTY-FOURTH	REVISED	PAGE 51-CC
TENTH	REVISED	PAGE 51-CCC
TWENTY-EIGHTH	REVISED	PAGE 51-DD
FIRST	REVISED	PAGE 51-DDD

(END OF APPENDIX A LIST)

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
Tees	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, Gypsum	685
Tools, Mechanics' (M)	365	Wallboard, other than plasterboard	762,767
Towers, Water Cooling, Atmospheric (M)	365	Washers	760,764,765
Triglycerides of Fat-forming Fatty Acids	335.5	Washing Powders	730-732
Trisodium Phosphate	730-732	Washing Soda	730-732
Trucks, Steam Boiler (M)	365	Wax, automobile, boat, floor or furniture (M)	377.5,723-726
Trusses	760,764,765	Wax, boat, floor, furniture or vehicle	730-732
Tubes, Boiler	365	Wax, Laundry Compound	360.5
Tubing, iron or steel, cast or wrought, plate or sheet	365	Weights	760,764,765
Tubing, iron or steel, well casing or drilling	365	Welsh Rarebit	320-1
Tubing, pier	760,764,765	Wheat Germ	652-654½
Tubs, Woodenware	758	Whey	345
Turnbuckles	760,764,765	Wine	360,400
		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		
Vaults, Utility	334.8	Yeast or Yeast Powder	360.5
		Zees	760,764,765

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

* Addition, Decision No.

85948

EFFECTIVE JULY 1, 1976

Correction

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

SECTION 3--COMMODITY RATES (Continued)		ITEM
<p align="center">WEIGHMASTER CERTIFICATE</p> <p>(Applies in connection with rates making specific reference hereto.)</p> <p>(a) The actual gross weight of the shipment shall be confirmed by a public weighmaster's certificate, which shall be obtained by the carrier prior to or at the time of unloading (See Exception).</p> <p>(b) Charges shall be based on the weight of the commodities as confirmed by the public weighmaster's certificate. The original and duplicate copy of the public weighmaster's certificate shall be affixed to the shipper's and carrier's copy of the freight bill respectively (See Exception).</p> <p>EXCEPTION.--Such certificate shall not be required when the distance from point or origin to point of destination, computed in accordance with the method provided in the Distance Table, does not exceed 50 constructive miles.</p>		682
<p>(Applies in connection with rates making specific reference hereto.)</p> <p>(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>LUMBER AND FOREST PRODUCTS, treated or untreated, not finished beyond sanding and priming, viz.: (See Notes 1 and 2)</p> <p>LIST A:</p> <p>Cross Arms, wooden (160110) Lath, wooden (112760) Piling, wooden (112960) Poles, wooden, NOI (113060) Posts, NOI, wooden (113100) Shingles, wooden (113280 and 113300) Boxes or Crates, wooden, or wood and wire combined, NOI, KD or folded flat or in flat sections (29800, sub 3, and 29810, Sub 3) Box or Crate Material, wooden or wood and wire combined, folded flat or in flat section (29800, Sub3, and 29810, Sub3)</p> <p>LIST B:</p> <p>Boards or Sheets, sawdust or ground wood (112320) including Wood Fibreboard Hardboard (193780), subject to Note 3. (E) Gypsum Wallboard (91890) shipped with or without more than 1,200 pounds of wallboard joint or texturing compound, wallboard tape, corner bead, or nails. Plywood (113620 and 113625) Veneer (112870, 112880, 112890 and 113520)</p> <p>LIST C:</p> <p>Lumber (112870, 112880 and 112890) Ties, Railroad, wooden (113450) Timbers, wooden (112940)</p> <p>NOTE 1.--With shipments of commodities listed above, there may be included, at the rates provided herein, in quantities not to exceed 10% of the weight of the entire shipment, articles listed under the headings: "Lumber Group" and "Building Woodwork Group" in the Governing Classification.</p> <p>NOTE 2.--Length not to exceed 24 feet, except piling and poles which shall not exceed 50 feet in length.</p> <p>NOTE 3.--Rates apply on Wood Fibreboard Hardboard only when released to a value of 20 cents per pound per article. Shipper must enter the following statement on the bill of lading or shipping document:</p> <p align="center">"The agreed or declared value of the Wood Fibreboard Hardboard is hereby specifically stated by the shipper to be 20 cents per pound per article."</p> <p>If shipper fails or declines to declare such value in writing, other provisions of this tariff will apply.</p>		685
<p>(E) Expires with June 30, 1977.</p> <p>Ø Change)</p> <p>* Addition) Decision No. 85948</p> <p>◊ Increase)</p> <p>◊ Reduction)</p>		
EFFECTIVE JULY 1, 1976		
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.		
Correction		

SECTION 3--COMMODITY RATES (Continued) In Cents Per 100 Pounds													ITEM
(Rates shown in this item will not apply to transportation between points for which rates are provided in Item 710.)													
LUMBER, FOREST PRODUCTS AND RELATED ARTICLES as described in and subject to the provisions of Item 685. (Items 690 and 691)													
MILES		RATES											
		MINIMUM WEIGHT											
		LIST A				LIST B				LIST C			
		40,000 Pounds		(1) (2) (3) 50,000 Pounds		40,000 Pounds		(1) (2) 50,000 Pounds		40,000 Pounds		(1) (2) 50,000 Pounds	
		Over	But Not Over	A	(E) (4)B	A	(E) (4)B	A	(E) (4)B	A	(E) (4)B	A	(E) (4)B
0	3	13½	10½	11½	9	13	9½	11	8½	11½	8½	10	7½
3	5	15½	11½	13	9½	15½	10½	13	9	14	9½	12	8½
5	10	18	14	15½	11½	17½	13	14	11	17	11½	13½	10½
10	15	21	16	17	12½	19½	15	16	12	19	14	15½	11½
15	20	24	18	18½	14½	22½	17	18	14	21	16	17½	12½
20	25	26	19	22½	17	24½	18½	21	16	24	18	20	15
25	30	29	21	24½	18	27	20	23	17	26	19	22½	16
30	35	31	23½	26	19	29	21½	24½	18	28	21	24	17
35	40	33	24½	28	21	31	23½	26	20	31	22½	25½	19
40	45	36	26½	29½	22½	33	25½	29	21	32	24½	27	20
45	50	40	29½	33	24½	36	27½	31	23½	35	26½	29½	22½
50	60	42	33	35	27½	40	32	33	26½	37	29½	31	24½
60	70	45	36	36	28½	42	33	35	27½	40	32	33	25½
70	80	48	38	37	29½	45	36	36	28½	42	33	35	27½
80	90	49	39	42	32	46	37	37	29½	45	36	36	28½
90	100	52	41	43	34	49	39	40	32	48	38	37	29½
100	110	53	42	46	37	52	41	42	34	49	39	40	32
110	120	56	45	48	38	53	42	46	36	52	41	43	34
120	130	61	49	51	40	56	45	48	38	54	43	46	37
130	140	64	53	54	43	59	50	49	41	56	47	48	40
140	150	66	55	56	47	61	52	52	43	59	50	49	41
160	170	71	60	59	50	67	56	58	48	64	53	54	46
170	180	74	63	61	51	71	60	59	50	66	56	56	48
180	190	76	65	62	53	74	63	61	52	70	59	58	50
(1) The minimum weight applies to each unit of equipment in which the shipment is transported.													
(2) Subject to the provisions of Item 682 (Weighmaster's Certificate).													
(3) Does not apply on Poles or Piling as described in Item 685. Other provisions applicable.													
(4) Rates named in this column are subject to provisions of Item 715.													
(Continued in Item 691)													
øøø(E) Expires with June 30, 1977.													
ø Change) ø Increase) Decision No. 85948 ø Reduction)													
EFFECTIVE JULY 1, 1976													
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.													
Correction													

MINIMUM RATE TARIFF 2

SECTION 3--COMMODITY RATES (Continued) In Cents Per 100 Pounds													ITEM
(Rates shown in this item will not apply to transportation between points for which rates are provided in Item 710.)													
LUMBER, FOREST PRODUCTS AND RELATED ARTICLES as described in and subject to the provisions of Item 685. (Items 690 and 691)													
MILES		RATES											
		MINIMUM WEIGHT											
		LIST A				LIST B				LIST C			
		40,000 Pounds		(1) (2) (3) 50,000 Pounds		40,000 Pounds		(1) (2) 50,000 Pounds		40,000 Pounds		(1) (2) 50,000 Pounds	
Over	But Not Over	A	(E) (5)B	A	(E) (5)B	A	(E) (5)B	A	(E) (5)B	A	(E) (5)B	A	(E) (5)B
190	200	78	68	64	55	77	65	62	53	71	61	59	52
200	220	83	70	68	58	82	69	67	56	76	65	64	55
220	240	85	74	71	61	84	72	70	60	81	69	67	59
240	260	86	78	74	67	86	77	71	64	83	73	68	60
260	280	93	83	79	70	92	82	76	68	85	77	71	64
280	300	96	87	82	74	94	86	79	71	88	81	74	68
300	325	99	91	84	77	98	90	82	75	93	86	79	73
325	350	101	93	85	78	100	92	84	77	96	89	82	75
350	375	107	99	88	82	107	99	86	80	99	91	83	76
375	400	113	105	93	86	108	100	91	84	101	93	85	80
400	425	117	108	95	88	113	105	92	85	102	94	86	81
425	450	120	111	99	91	116	107	95	88	107	99	91	84
450	475	124	114	101	93	117	108	96	89	113	105	92	85
475	500	129	120	104	96	119	110	99	91	115	106	93	86
500	525	134	124	110	102	122	113	101	93	117	108	96	89
525	550	135	125	115	106	125	116	102	94	119	110	99	91
550	575	137	127	116	107	129	120	107	99	122	113	101	93
575	600	141	130	118	109	134	126	113	105	125	116	104	96
600	650	146	136	122	113	137	127	118	109	134	124	113	105
650	700	158	146	132	122	149	138	124	114	141	130	118	109
700	750	167	155	137	127	156	145	132	122	149	138	122	113
750	800	175	162	145	135	167	155	137	127	156	145	132	122
800	-	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)
(1) The minimum weight applies to each unit of equipment in which the shipment is transported.													
(2) Subject to the provisions of Item 682 (Weighmaster's Certificate).													
(3) Does not apply on Poles or Piling as described in Item 685. Other provisions applicable.													
(4) Add to the rate for 800 miles, 5¢ cents per 100 pounds for each 50 miles or fraction thereof in excess of 800 miles.													
(5) Rates named in this column are subject to provisions of Item 715.													
øøø(E) Expires with June 30, 1977.													
ø Change)													
ø Increase) Decision No. 85948													
ø Reduction)													
EFFECTIVE JULY 1, 1976													
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.													
Correction													

SECTION 3--COMMODITY RATES (Continued) In Cents Per 100 Pounds							ITEM
LUMBER, FOREST PRODUCTS AND RELATED ARTICLES as described in and subject to the provisions of Item 685.							
TERRITORIAL APPLICATION Rates named in this item apply between points of origin and destination, all of which are located within 150 constructive miles of Metropolitan Zone 229 computed in accordance with the method provided in the Distance Table.							
MILES		RATES					
		MINIMUM WEIGHT					
Over	But Not Over	10,000 Pounds	20,000 Pounds	40,000 Pounds		48,000 (1) (2) Pounds	
				A	(5) B (E)	A	(5) B (E)
0	3	26½	17½	13½	10½	13	9½
3	5	31	20	16	11½	14½	10½
5	10	36	23	17½	13	17	12½
10	15	44	27	20	15	18½	14
15	20	49	31	23	17	21	16
20	25	54	36	24½	18	23	17
25	30	60	40	26	19	24½	18
30	35	64	45	28	21	26	19
35	40	70	49	29½	22½	28	21
40	45	76	52	31½	23½	29½	22½
45	50	80	58	35	26½	31	23½
50	60	(3)	(3)	40	29½	35	26½
60	70			45	34	37	27½
70	80			49	36	42	32
80	90			53	39	46	35
90	100			54	40	49	36
100	110			56	41	52	39
110	120			58	43	54	40
120	130			61	46	56	41
130	140			62	47	59	43
140	150			64	48	61	46
150	-			(4)	(4)	(4)	(4)
(1) The minimum weight applies to each unit of equipment in which shipment is transported.							
(2) Will not apply on Poles or Piling as Described in Item 685.							
(3) Over 50 miles, Class 55 rates apply.							
(4) Over 150 miles, rates in this item do not apply. Apply rates in Items 690 and 691.							
(5) Rates named in this column are subject to provisions of Item 715.							
600(E) Expires with June 30, 1977.							
ø Change)		ø Increase)		ø Reduction)		Decision No. 85948	
EFFECTIVE JULY 1, 1976							
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.							

Correction

SECTION 3--COMMODITY RATES (Continued)		ITEM
LUMBER AND RELATED ARTICLES INCENTIVE PROVISIONS		
(Applies only in connection with rates making specific reference hereto.)		
Rates making reference hereto apply only when all provisions of the following notes are met.		
Note 1.--The provisions of Item 430 of the Governing Classification and the following provisions of this tariff may not be applied:		
Item 85 - Multiple Lot Shipments		
Item 160-163 - Split Pickup		
Item 170-173 - Split Delivery		
Item 174-175 - Stringing Service		
Item 181-1 and 182 - Collect on Delivery (C.O.D.)		
Item 188 - Multiple Service Shipment		
Note 2.--Each shipment must be loaded by the consignor and unloaded by the consignee with power or mechanical equipment. Power or mechanical equipment, which is an integral part of the carrier's equipment, may be used to load and/or unload without liability to the carrier; but the use of such equipment is restricted to that work performed by a single carrier employee (driver) within or on the carrier's equipment.		Ø715
Note 3.--An allowance of one hour for loading and one hour for unloading shall be made for each unit of carrier's equipment used. Excess loading or unloading time shall be charged for at rates named in Item 145 of this tariff.		
Note 4.--The rates provided by this item apply only when, prior to the time of initial pickup, the shipper notifies the carrier of the trailer length or unit of equipment required to transport the shipment.		
Note 5.--The rates provided by this item may not be used in combination with any other rates.		
ØØØ(E) Expires with June 30, 1977.		
Ø	Change)	Decision No. 85948
Ø	Increase)	
Ø	Reduction)	
EFFECTIVE JULY 1, 1976		
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.		
Correction		