

ORIGINAL

Decision No. 86141

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 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. 901  
(Filed June 11, 1976)

OPINION AND ORDER

Minimum Rate Tariff 2 (MRT 2) names minimum rates and rules for the statewide transportation of general commodities by highway carriers. Item 362 of MRT 2 provided a less-than-truckload exception rating of Class 55 on hardware and related items subject to a minimum weight of 500 pounds per pallet. This provision expired with June 30, 1976. By the above petition, California Trucking Association requests that the Commission extend the expiration date for a period of one year.

According to petitioner, this provision allowed a highly efficient method of packaging, loading, unloading and transporting these articles. Petitioner alleges that the proposed extension of the present expiration date will permit continuance of such efficiencies and will encourage continued evaluation of existing provisions in the light of new needs.

Copies of the petition were mailed to various chambers of commerce, shipper organizations, carrier representatives and other interested parties on or about June 11, 1976. The petition was listed on the Commission's Daily Calendar of June 15, 1976. No objection to the granting of the petition has been received.

In the circumstances, the Commission finds that petitioner's proposal is reasonable to the extent hereinafter indicated and the resulting rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the aforementioned transportation. The involved exception rating has been in effect on a temporary or experimental basis for a one-year period and petitioner has not requested any change in said rating. This exception rating will be made permanent as procedures are available to petitioner and other interested parties in the event that they may desire to modify or cancel this exception rating in the future. A public hearing is not necessary. The Commission concludes that the petition should be granted as set forth in the ensuing order and the effective date of this order should be the date hereof because there is an immediate need for the reestablishment of this exception rating.

IT IS ORDERED that:

1. Minimum Rate Tariff 2 (Appendix D to Decision 31606, as amended) is further amended by incorporating therein to become effective July 31, 1976, Third 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 31606, as amended, are hereby authorized to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein.
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, 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 sixty days after the effective date of the minimum rate tariff page incorporated in this order.

4. Common carriers, in establishing and maintaining the amendments 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 amendments 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 31606, as amended, shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 19<sup>th</sup> day of July, 1976.

*William Lyness Jr.*  
*Vernon L. Sturgeon*

**Commissioners**

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

Commissioner Robert Batimovich, being necessarily absent, did not participate in the disposition of this proceeding.

MINIMUM RATE TARIFF 2

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued)		Class Rating
(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>HARDWARE PRODUCTS AND RELATED ITEMS, subject to Notes 1 through 8, VIZ.:</p> <p>Catalogs or Catalog Parts or Sections, paper (4850)</p> <p>Catches or Latches, metal, NOI (93880)</p> <p>Door Checks, automatic, metal (94500)</p> <p>Door Stops, NOI (22040)</p> <p>Hardware, NOI, brass, bronze, or copper (95180)</p> <p>Hardware, NOI, iron or steel (95190)</p> <p>Knobs or Pulls, door or drawer, metal (95550)</p> <p>Screws, NOI (106650)</p> <p>Slides, drawer, shelf or table, steel (96775)</p> <p>Steel Hinges or Butts, NOI (95300, Sub 2)</p> <p>Zinc Articles, NOI (201040)</p> <p>Less Truckload:</p> <p>Minimum Weight 500 pounds per pallet-----</p> <p>NOTE 1.--Ratings named in this item apply only when all provisions of the following notes are met.</p> <p>NOTE 2.--Shipments must be tendered for transportation:</p> <p>a) In inner containers in a two piece single wall corrugated fiberboard box. Box must consist of a body and one flanged cap, with not less than six inch flanges fitting over the entire top of the body. Box must be closed in accordance with Item 222, Sec. 7 of the Governing Classification, and must be secured to a pallet with not less than 2 straps complying to requirements of Item 680, Sec. 9 of the Governing Classification or</p> <p>b) In inner containers on pallets, secured to said pallet with not less than four straps complying to requirements of Item 680, Sec. 9 of the Governing Classification.</p> <p>NOTE 3.--Pallets must be of uniform dimension, not exceeding 44 inches by 44 inches (width and length), and of a disposable nature. Total cubic dimension shall not exceed 50 feet, and no part of the load may over-hang the pallet perimeter.</p> <p>NOTE 4.--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:</p> <p>"The agreed or declared value of the property is hereby specifically stated by the shipper to be one-half of actual value or 50¢ per pound, per article, whichever is less."</p> <p>If the shipper fails or declines to declare such value in writing, the provisions of this item will not apply.</p> <p>NOTE 5.--Rates provided by this item do not alternate with any other rates and charges, and may not be used in combination with any other rates.</p> <p>NOTE 6.--Shipments must be loaded by consignor and unloaded by consignee with mechanical equipment, furnished and used without expense to the carrier. The construction of the pallet load must allow double stacking when loaded on carrier's equipment.</p> <p>NOTE 7.--Rating only applies on straight or mixed shipments of the above-named commodities.</p> <p>NOTE 8.--When transporting shipments under provisions of this item, the carrier will acknowledge receipt of a specified number of pallets only.</p>		55
<p>6 Reduction, Decision No. 86141</p>		6362
EFFECTIVE		
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,          SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>		