

Decision No. 86153

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 revi-  
sions or reissues thereof.

Case No. 5432  
Petition for Modification  
No. 771

ORDER GRANTING REHEARING  
AND WITHDRAWING RATES

California Drywall Contractors Association and Mullin & Mitchell, Inc., filed on July 8, 1976, a petition seeking a stay of Decision No. 85948 in this proceeding insofar as it applies to "incentive-oriented" rates for the transportation of gypsum wallboard and requested rehearing in this matter.

Having considered each and every allegation contained in the petition, the Commission is of the opinion and finds that the "incentive-oriented" rates authorized by Decision No. 85948 for the transportation of gypsum wallboard should be withdrawn pending rehearing. The Commission concludes that Minimum Rate Tariff 2 should be amended accordingly.

THEREFORE, IT IS ORDERED that:

1. Rehearing of Decision No. 85948 is hereby granted, said rehearing to be limited to the consideration of "incentive-oriented" rates for the transportation of gypsum wallboard, said rehearing to be heard before such Commissioner or Examiner and at such time and place as may hereafter be designated.
2. The authority contained in Decision No. 85948 concerning "incentive-oriented" rates for the transportation of gypsum wallboard is hereby withdrawn pending further order of the Commission.

3. Minimum Rate Tariff 2 (Appendix D to Decision No. 31606, as amended) is further amended by incorporating therein, to become effective July 31, 1976, Thirteenth Revised Page 9-A and Fourteenth Revised Page 51-C attached hereto and by this reference made a part hereof.

4. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 31606, as amended, are hereby required to establish in their tariff the amendment necessary to conform with the further adjustment ordered herein.

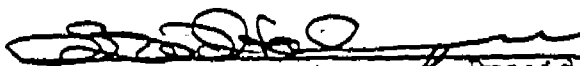
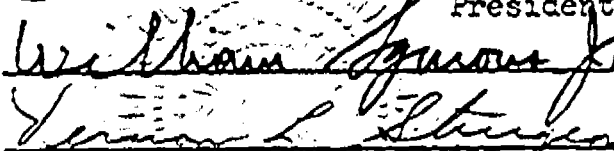
5. Tariff publications required to be made by common carriers as a result of this order may be made effective not earlier than the first day after the effective date of this order on not less than one day's notice to the Commission and to the public.

6. Common carriers, in establishing and maintaining the amendment 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 amendment published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

7. In all other respects, Decision No. 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 19th day of July, 1976.

  
President  
  
Commissioner Leonard Ross, being  
necessarily absent, did not participate  
in the disposition of this proceeding.  
2. ~~Commissioner Robert Batilovich, being~~  
~~necessarily absent, did not participate~~  
~~in the disposition of this proceeding.~~  
Commissioners

## 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, 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   | 652-654       |
| Tubing, pier   | 760,764,765   | Whey   | 345           |
| Tubs, Woodenware                                       | 758           | Wine   | 360,400       |
| Turnbuckles  | 760,764,765   | Wine, cooking  | 320-1         |
| Urea   | 652-654       | 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         | Zeas   | 760,764,765   |

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

\*\* Eliminated, Decision No. 86153

EFFECTIVE

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

Correction

| SECTION 3--COMMODITY RATES (Continued)  | ITEM |
|---|------|
| <p style="text-align: center;">WEIGHMASTER CERTIFICATE</p> <p style="text-align: center;">(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 of 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 style="text-align: center;">(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> <ul style="list-style-type: none"> <li>Cross Arms, wooden (160110)</li> <li>Lath, wooden (112760)</li> <li>Piling, wooden (112960)</li> <li>Poles, wooden, NOI (113060)</li> <li>Posts, NOI, wooden (113100)</li> <li>Shingles, wooden (113280 and 113300)</li> <li>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)</li> <li>Box or Crate Material, wooden or wood and wire combined, folded flat or in flat section (29800, Sub3, and 29810, Sub3)</li> </ul> <p>LIST B:</p> <ul style="list-style-type: none"> <li>Boards or Sheets, sawdust or ground wood (112320) including Wood Fibreboard Hardboard (193780), subject to Note 3.</li> <li>***</li> <li>Plywood (113620 and 113625)</li> <li>Veneer (112870, 112880, 112890 and 113520)</li> </ul> <p>LIST C:</p> <ul style="list-style-type: none"> <li>Lumber (112870, 112880 and 112890)</li> <li>Ties, Railroad, wooden (113450)</li> <li>Timbers, wooden (112940)</li> </ul> <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 style="padding-left: 40px;">"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>             p Change )<br/>             o Increase ) Decision No. <b>86153</b><br/>             ** Eliminated )           </p>  |      |
| EFFECTIVE   |      |
| ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,<br>SAN FRANCISCO, CALIFORNIA.   |      |

Correction