

Decision No. 86435

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 and reissues thereof.

Case No. 5432
Petition for Modification
No. 899
(Filed June 4, 1976)

O P I N I O N

California Trucking Association (CTA) seeks to amend Minimum Rate Tariff 2 (MRT 2) by incorporating in Item 378 reduced truckload exception ratings and related rules for the transportation of concrete reinforced pipe. That item now contains an exception truckload rating for cast iron soil pipe and cast iron pressure pipe.

Reduced truckload exception ratings on cast iron pressure pipe were initially established in 1951, and on cast iron soil pipe in 1961, at the level of Class 35, minimum weight 36,000 pounds. CTA proposes that an exception rating of Class 35.2 minimum weight 45,000 pounds, be established on cast iron soil and pressure pipe and on concrete reinforced pipe, subject to the conditions, among others, that the pipe be released to one-half of actual value (not exceeding 50 cents per pound), and that shipments be loaded by consignor and unloaded by consignee. The average savings on a 45,000 pound, 100-mile haul would be approximately \$45.

In support of its petition, CTA alleges as follows:

Over the years changes have occurred in the marketing, production, and transportation of pipe. The principal change is the more widespread use of concrete reinforced pipe. The almost exclusive destinations of such pipe are to jobsites or corporation yards.

Technological improvements and changes in gross vehicle weight laws permit carriers to transport heavier loads of pipe. The transportation characteristics of cast iron pressure and soil pipe are similar to those of concrete reinforced pipe, and all such commodities can be transported in loads of 45,000 pounds or more. CTA's proposals assertedly are designed to promote transportation efficiencies and economies and to reflect in MRT 2 the transportation circumstances peculiar to cast iron and concrete reinforced pipe.

CTA alleges that its proposals meet the criteria for the establishment of reduced exception ratings set forth in prior Commission decisions and, therefore, it requests that MRT 2 be revised by ex parte order.

Copies of the petition were served on interested parties and notice of the filing of the petition appeared on the Commission's Daily Calendar. The protest of the Highway Carrier's Association has been withdrawn. No other protest or request for public hearing has been received.

In the circumstances, the Commission finds that petitioner's proposal is reasonable and the resulting rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation involved. A public hearing is not necessary. The Commission concludes that the petition should be granted.

O R D E R

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 October 30, 1976, Forty-Ninth Revised Page 8, Twelfth Revised Page 38-C, and Original Page 38-D, 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 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 the order herein 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 and may be made effective on not less than ten days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff pages incorporated in this order.

4. Common carriers, in establishing and maintaining the ratings 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 ratings 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 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 28th day of SEPTEMBER, 1976.

[Signature] President
William J. ...
Vernon L. ...
[Signature]
Robert Bateman 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
Packets (M)	395-397	Polish, floor (M)	377.5, 723-726
Pads (M)	395-397	Polish, furniture (M)	377.5, 723-726
Paint, asphaltic (M)	377.5, 723-726	Polish, metal (M)	377.5, 723-726
Paint, liquid (M)	377.5, 723-726	Polish, vehicle (M)	377.5, 723-726
Pallets	330.4	Pomace	652-654h
Pamphlets (M)	395-397	Popcorn, not popped	360.5
Paper	395, 765, 770	Popped Corn (M)	360.5
Paper Bags (M)	395-397	Porter	310, 360
Paper, Building, Roofing or Sheathing	761, 767	Posts	690, 710
Paper, Wrapping (M)	395-397	Potatoes, cooked and powdered, other than frozen	360
Paperboard or Pulpboard	770	Potatoes, processed, cooked and powdered	320-1
Parts, Boiler (M)	365	Potato Chips (M)	360.5
Paste, Confectionery	360	Poultry and poultry parts	379
Paste, Icing	360	Poultry Litter (M)	652-654h
Paste, Tomato	320-1	Powder, Baking	360.5
Paving Joints, expansion	761, 767	Powder, sachet or toilet (M)	395-397
Peaches, powdered	350	Powders, Citrus Fruit Juice	360
Peanut Butter	320-1	Powder, Yeast	360.5
Peanut Spread	320-1	Power Pumps (M)	365
Peat	370	Preservatives, wood (M)	377.5, 723-726
Pectin, Fruit or Vegetable	320-1	Preserves	320
Peel, fruit, candied, crystallized glazed or stuffed	360	Prunes, powdered	350
Peel, grapefruit, lemon or orange, dried	350	Puddings	320-1
Pencils, lead (M)	395-397	Pulls, door or drawer, metal	362
Perfumery (M)	395-397	Pulleys, tank or reservoir	760, 764, 765
Petroleum and Petroleum products as described in Governing Classification	377.5, 723-726	Pulp, Fruit or Vegetable	320, 320-1
Pickles	320-1	Pumps, Power (M)	365
Pie Mix, Pizza	345	Puree, Tomato	320-1
Pie Preparations	320-1	Rags	765
Pig Iron	760, 764, 765	Railings, bridge	760, 764, 765
Piling	318, 690, 710, 760, 764, 765	Rails	760, 764, 765
Pimentos	320-1	Ravioli (prepared)	320-1
Pipe	330, 760, 764, 765	Repellents, insect (M)	377.5, 723-726
Pipe, cast iron pressure	378	Rice-and-Milk	320-1
Pipe, cast iron soil	378	Rice, Brewers'	652-654h
*Pipe, concrete, reinforced	378.3	Rice, Cleaned	652-654h
Pipe, iron or steel, cast or wrought, plate or sheet	365	Rice, dry, and other ingredients	345, 360.5
Pipe, iron or steel, well casing or drilling	365	Rice, Paddy	652-654h
Pitch (M)	762, 767	Rivets	760, 764, 765
Pizza Pie Mix	345	Rods, iron or steel	760, 764, 765
Plaster Boards (M)	762, 767	Rods, Pull (M)	365
Plates, iron or steel	760, 764, 765	Rods, Sucker	365
Plates, fish	760, 764, 765	Rolls, or Holders, silver-ware, or toilet article (M)	395-397
Plates, plastic or rubber (M)	362	Roofing, building or paving material	761, 767
Plywood	690, 710	Roofing, composition or prepared	761, 767
Poles, wooden	690, 710	Rope (M)	365
Poles, electric light	378.5	Running Gears, Steam boiler (M)	365
Polish, boat, floor, furniture or vehicle	730-732	Sago	360.5
		Seals (M)	395-397

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

* Addition, Decision No.

86435

EFFECTIVE

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

Correction

MINIMUM RATE TARIFF 2

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued)		
(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.)	Class Rating	
Petroleum and Petroleum Products, in packages, as described in and subject to the provisions of Items 723 and 723-1 of this tariff.		
TRUCKLOAD:		
Minimum Weight 20,000 pounds-----	50.1	377.5
Minimum Weight 30,000 pounds-----	35	
Minimum Weight 36,000 pounds-----	35.1	
Minimum Weight 42,000 pounds-----	(1) 35.2	
Minimum Weight 40,000 pounds-----	(2) 35.3	
(1) Not applicable on Asphalt (Asphaltum), natural, by-product or petroleum, liquid, other than paint, stain or varnish (15220).		
(2) Applicable only on Asphalt (Asphaltum), natural, by-product or petroleum, liquid, other than paint, stain or varnish (15220).		
Pipe, cast iron pressure (51200), not less than 12 feet and not more than 18 1/2 feet in length, in straight shipments or in mixed shipments with cast iron pressure pipe fittings.		
Pipe, cast iron soil (51290), not less than 2 feet and not more than 11 feet in length, in straight shipments, or in mixed shipments with cast iron soil pipe fittings.		
TRUCKLOAD:		
Minimum Weight 36,000 pounds-----	35	378
*Minimum Weight 45,000 pounds----- (Subject to Notes 1 through 5)	35.2	
*NOTE 1.--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:		
"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."		
If the shipper fails or declines to declare such value in writing, the provisions making reference hereto will not apply.		
*NOTE 2.--Shipments must be loaded by consignor and unloaded by consignee without expense to the carrier. An allowance of one hour free time for loading and one hour free time for unloading will be given. Time shall be computed from the actual or shipper-designated time of arrival of carrier's equipment at place of loading or unloading, whichever is later, until loading or unloading is completed and the unit of carrier's equipment is released. Place of loading or unloading means a particular street address or other designation of a factory, store, warehouse, place of business, private residence, or construction camp or the like. Excess loading or unloading time shall be charged for at the rates named in Item 145 herein.		
(Continued on Following Page)		
(3) Items 378.5 and 379 transferred to Original Page 38-D.		
o Change) * Addition) Decision No. 86435 o Reduction)		
EFFECTIVE		
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.		
Correction		

MINIMUM RATE TARIFF 2

(2) ORIGINAL PAGE....38-D

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued)		
(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.)	Class Rating	
<p>Pipe, cast iron pressure (51200), not less than 12 feet and not more than 18 1/2 feet in length, in straight shipments or in mixed shipments with cast iron pressure pipe fittings.</p> <p>Pipe, cast iron soil (51290), not less than 2 feet and not more than 11 feet in length, in straight shipments or in mixed shipments with cast iron soil pipe fittings.</p> <p>*NOTE 3.--When applied in connection with Premium Volume Incentive Service, the following provisions of that item will not apply:</p> <p style="padding-left: 40px;">Paragraphs 2(d), 2(e), 3(i), and 3(j).</p> <p>*NOTE 4.--Rates provided by this item may not be used in combination with any rates.</p> <p>*NOTE 5.--Rating only applies on straight or mixed shipments of commodities named in this item.</p>		378 (Con- clud- ed)
<p>Pipe, concrete, reinforced (50610)</p> <p>(1) Ratings shall be those provided in the Governing Classification or Exception Ratings Tariff, as applicable. When such ratings are applied in connection with provisions of Item 293.2 of this tariff, the following provisions of Item 293.2 will not apply:</p> <p style="padding-left: 40px;">Paragraph 2(d), 2(e), 3(i) and 3(j).</p>	(1)	378.3
<p>Poles, electric light, outdoor, iron or steel, without electric fixtures or wire. (161210)</p> <p>Less Truckload-----</p> <p>TRUCKLOAD:</p> <p>Minimum Weight 40,000 pounds-----</p>	<p>65</p> <p>35</p>	378.5
<p>Poultry and Poultry Parts (134740)</p> <p>Less Truckload-----</p> <p>Minimum Weight 10,000 pounds-----</p> <p>TRUCKLOAD:</p> <p>Minimum Weight 30,000 pounds-----</p> <p>Minimum Weight 36,000 pounds-----</p> <p>Minimum Weight 42,000 pounds-----</p>	<p>100</p> <p>55</p> <p>35</p> <p>35.1</p> <p>35.2</p>	379
<p>(2) Items 378.5 and 379 transferred from Eleventh Revised Page 38-C.</p> <p>* Addition) o Increase) Decision No. 86435 o Reduction)</p>		
EFFECTIVE		
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>		