

Decision No. 86449

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 )  
transportation of any and all com- )  
modities statewide including, but )  
not limited to those rates which )  
are provided in Minimum Rate )  
Tariff 2 and the revisions or re- )  
issues thereof. )

Case No. 5432  
Petition for Modification  
No. 907  
(Filed July 14, 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. By this petition, California Trucking Association seeks to have MRT 2 amended by establishing therein less-truckload exception ratings on shipments of games or toys having a density of less than 12 pounds per cubic foot and weighing less than 5,000 pounds.<sup>1</sup>

Petitioner states that presently these articles move at class rates in accordance with ratings named in the Governing Classification which are based on density and require that the shipper certify such density. The next lower rating in the Governing Classification may be applied to this transportation when the shipper shows the density of the shipment, declares it at the next higher density, and notes on the shipping document the cubage of the individual packages or pieces so that the charges can be computed on the declared density of the shipment.

Petitioner proposes to establish less-truckload exception ratings based on density which are 90 percent of the ratings in the Governing Classification for the aforementioned transportation.

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<sup>1</sup> The proposed ratings are set forth in detail in Exhibit A attached to the petition.

Petitioner alleges that its proposal could result in both increases and reductions but the minimal increases are offset by elimination of the need for extensive clerical work in applying the present ratings in the Governing Classification to this transportation.

Copies of the petition were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about July 13, 1976. The petition was listed on the Commission's Daily Calendar of July 16, 1976. No objection to the granting of the petition 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 and, to the extent said rates will result in increases, such increases are justified. A public hearing is not necessary. The Commission concludes that the petition should be granted.

IT IS ORDERED that:


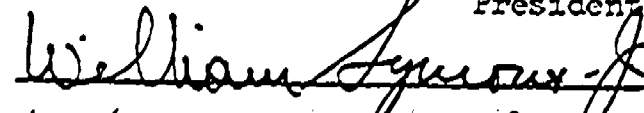
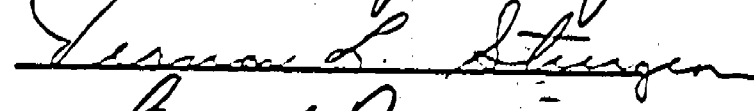
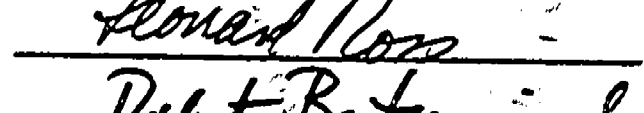

1. Minimum Rate Tariff 2 (Appendix D to Decision 31606, as amended) is further amended by incorporating therein, to become effective October 30, 1976, Fifteenth Revised Page 5-A, Forty-ninth Revised Page 6, Fourteenth Revised Page 9-A and Original Page 37-C-1 attached hereto and by this reference made 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 the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than the fifth day after the effective date of this order and may be made effective on not less than five 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 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 28<sup>th</sup> day of September, 1976.

  
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President  
  
  
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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
Compounds, Flavoring	360	Dressing, rubber (M)	377.5, 723-726
Compounds, floor hardening (M)	377.5, 723-726	Dressing, Salad	320-1
Compounds, Food Curing, Preserving or Seasoning	347, 360	Dressing, shoe (M)	377.5, 723-726
Compounds, Lard	335.5	Drink, fruit	320
Compounds, Washing (M)	360	Dry Milk Solids	345
combined with laundry bluing		Dyestuffs (M)	395-397
Compounds, Lubricating and cleaning	730-732	Earth	370
Compounds, Malt or Milk and Chocolate or Cocoa (M)	318-1, 335.7	Eggs	335.6
Compounds, Milk, Cream or Vegetable Oil (M)	335.7	Egg Yolk	320
Compounds, Mud Treating	365	Eggs, Shelled	360
Compounds or Mud, well drilling	365	Engines (M)	365
Compounds, paving joint	761, 767	Envelopes (M)	395-397
Compounds, water softening or purifying	730-732	Ether (M)	377.5, 723-726
Concrete products and related articles	334.8	Exterminators, vermin (M)	377.5, 723-726
Conduits, drainage, sewer or other underground work	330	Extracts	360
Confectionery	318.1, 360	Extracts, coffee (M)	395-397
Containers, sheet steel	330.3, 772	Extracts, coffee or tea (condensed or instant), dry	360
Containers (used packages)	330.6-331	Farina	652-654½
Containers (used packages), malt or cereal beverage	331	Feed as described under the heading of "Feed Group" in the Governing Classification, not frozen	652-654½
Corn	320-1	Feed, Animal	338, 620, 630
Cotton cloth	761, 767	Feed, Animal or Poultry	652-654½
Cream, NOI	335.6	Felt or Paper	761, 767
Cream, Pasteurized	345	Felt or Paper, asbestos	761, 767
Cream, Shaving (M)	395-397	Fencing	760, 764, 765
Cream, Sterilized	335.7, 345	Figs, powdered	350
Cream, Substitutes	335.7, 345	Fish (animal feed)	338
Cribbing	334.8	Fish, cooked, pickled or preserved	320, 345
Cross Arms, wooden	685, 690, 691, 710	Fish, fresh, frozen	775
Crystals, Citrus Fruit Juice	360	Fish Loins, frozen	775
Crystals, Bath (M)	395-397	Fish, other than fresh or frozen	360
Cups (M)	395-397	Fish Roe	320
Cylinders, Well Pump	365	Fittings, Pipe (iron or steel)	365, 378, 760
Dairy Products and Related Articles	335.6	Flavoring Compounds	360
Deodorants	730-732	Flour, Bean	652-654½
Deodorants (M)	395-397	Flour, cooked	339
Dessert Preparations	360	Flour, edible	360
Dessert Toppings (M)	335.7	Flour, gelatinized	339
Diglycerides of Fat-forming Fatty Acids	335.5	Flour, Grain	339
Dinner Ingredients	360	Flour, Potato	339, 652-654½
Dishes (M)	395-397	Flour, prepared, edible	339, 652-654½
Disinfectants	730-732	Flour, Rice	339, 652-654½
Disinfectants (M)	395-397	Flour, Soybean	339
Display, Advertising (M)	395-397	Flour, Tapioca	652-654½
Door Stops	362	Flues, Boiler	365
Dough, prepared	336	Fondant, Candy	360
Dressing, Automobile Top (M)	377.5, 723-726	Food, Baby	320
		Food, Cereal	360
		Food, Milk, other than malted, liquid	320

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

(1) Certain commodities listed on this page were transferred from Forty-Eighth Revised Page 6.

Change, Decision No.

86449

EFFECTIVE

Correction

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

## § 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
Food, prepared	360	Hair Goods (M)	395-397
Food Preparations, Cereal (M)	360	Hand Bags (M)	395-397
Foodstuffs for human consumption	345, 620, 630	Hangers, joist (iron or steel)	760, 764, 765
Forging, rough (iron or steel)	760, 764, 765	Hardware Products and related items	362
Forms (M)	395-397	Hat Boxes (M)	395-397
Frames, circular (iron or steel)	760, 764, 765	Hinges, steel	362
Fruit (not dried, evaporated nor fresh)	320	Holders, disinfectant, or deodorant NOI	395-397
Fruit, candied, crystallized, glazed or stuffed	360	Holders, silverware (M)	395-397
Fruit, crushed	320	Hominy	320-1
Fruits, dried or evaporated	350	Honey	320, 360
Fruit Drink	320	Hoops, iron or steel	760, 764, 765
Fruit Juice Powders or Crystals, Citrus	360	Horseradish	360
Fruit Peel, candied, crystallized, glazed or stuffed	360	Horseradish, prepared	320-1
Fruit Syrups	360	Hulls, viz.: cocoa bean, cottonseed, nut, sunflower, whole or ground	652-654
Fuel, Wood	729	Humus	370
*Games	355	Ice	660
Games (M)	395-397	Ice Cream	335.6
Gardening or Landscaping Products	370	Icings	360
Garlic Chips; Garlic Powder	320	Ingots, iron or steel	760, 764, 765
Gas, petroleum liquefied	377.5, 723-726	Ingredients, Dinner or Soup	360
Gears, running, steam boiler (M)	365	Insecticides (M)	377.5, 723-726
Gelatine	360	Iron, plate or sheet (M)	365
Generators, Electric (M)	365	Iron and Steel, structural, fabricated or unfabricated	760, 764, 765
Germ, wheat	652-654½	Jam; Jelly	320
Girders, reinforced concrete	318	Jewelry, costume and novelty (M)	395-397
Girders, iron or steel	760, 764, 765	Joints, Sucker Rod (iron or steel)	365
Glassware, NOI (M)	395-397	Joists (reinforced concrete)	318
Glucose	360	Juice, Apple (M)	335.7
Grain Products as described under the heading "Grain Products" in the Governing Classification	652-654½	Juice, citrus fruit (M)	335.7
Grate Bars, iron or steel	365	Juice, Clam	320
Grit, processed from rock or shell	652-654½	Juice, Fruit	320, 335.7
Groceries and Grocers' Supplies	360	Juice, grape (M); Juice, prune (M)	335.7
Guides, elevator (iron or steel)	760, 764, 765	Junk (waste paper and rags)	765
Gum, Chewing	360	Kernels, sunflower	348
		Kits (M)	395-397
		Knobs, door or drawer, metal	362
		Ladder assemblies, tank or tower (iron or steel)	760, 764, 765
		Lard; Lard Compounds; Lard Substitutes	335.5
		Latches, metal	362

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

(1) Certain commodities formerly listed on this page were transferred to Fifteenth Revised Page 5-A.

\* Addition )  
 § Change ) Decision No.

86449

EFFECTIVE

Correction

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

MINIMUM RATE TARIFF 2

INDEX OF COMMODITIES (Concluded)

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	Vaults, Grave	334.8
Tea, extract of (condensed or instant), dry	360.5	Vaults, Utility	334.8
Tees	760,764,765	Vegetable Oil Shortening	335.5
Tickets (M)	395-397	Vegetables (not dehydrated, dried, evaporated nor fresh)	320-1
Ties, bale	760,764,765	Veneering	690,700,710
Ties, railroad	690,710	Vermicelli, except canned	360.5
Timbers	690,700,710	Vermicelli (prepared)	320
Tinplate	760,764,765	Vermicelli, dry, and other ingredients	345,360
Tire Tubes (M)	377.5,723-726	Vermouth	400
Tires, Pneumatic (M)	377.5,723-726	Vinegar	320-1
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
*Toys	355	Washing Soda	730-732
Toys (M)	395-397	Wax, automobile, boat, floor or furniture (M)	377.5,723-726
Trays, plastic (M)	395-397	Wax, boat, floor, furniture or vehicle	730-732
Triglycerides of Fat-forming Fatty Acids	325.5	Wax, Laundry Compound	360.5
Trisodium Phosphate	730-732	Weights	760,764,765
Trucks, Steam Boiler (M)	365	Welsh Rarebit	320-1
Trusses	760,764,765	Wheat Germ	652-654½
Tubes, Boiler	365	Whey	345
Tubing, iron or steel, cast or wrought, plate or sheet	365	Wine	360,400
Tubing, iron or steel, well casing or drilling	365	Wine, cooking	320-1
Tubing, pier	760,764,765	Wire	760,764,765
Tubs, Woodenware	758	Wood Preservatives (M)	377.5,723-726
Turnbuckles	760,764,765	Wool, Steel	410
Urea	652-654½	Yeast or Yeast Powder	360.5
Valves, iron or brass (M)	365	Zees	760,764,765
Valves, Pump Working Barrel	365		

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

\* Addition, Decision No.

86449

EFFECTIVE

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

Correction

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued)  (Numbers with 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	
GAMES OR TOYS, NOI (84260) subject to Notes 1 thru 5,  LTL, having a density of:  Less than 2 pounds per cubic foot.....  2 pounds per cubic foot, but less than 4 pounds.....  4 pounds per cubic foot, but less than 6 pounds.....  6 pounds per cubic foot, but less than 12 pounds.....  NOTE 1.--Applicable only on straight or mixed shipments of freight described in Item 84260 of the Governing Classification weighing less than 5,000 pounds.  NOTE 2.--Applicable only on prepaid shipments.  NOTE 3.--Not applicable when the bumping provisions of Item 84262 and 84263 of the Governing Classification are used.  NOTE 4.--Not applicable on split pickup or split delivery shipments.  NOTE 5.--Not applicable on collect on delivery (C.O.D.) shipments.	90% of 300  90% of 250  90% of 150  90% of 100	*0355
* Addition ) o Reduction ) Decision No. 86449		
EFFECTIVE		
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.		
Correction		