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 commodities 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.

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.

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 28th day of September, 1976.

President
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Commissioners

ø 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.

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Door Stops 362 Food, Milk, other than	
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Dressing, Automobile Top (M) 377.5,723-726 malted, liquid 320	

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

ø Change, Decision No.

86449

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

ø 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	1	* * · · · · · · · · · · · · · · · · · ·	37/
consumption	3/5 404 444	Hangers, joist (iron or	760 964
	345, 620, 630	steel)	760, 764, 76
Forging, rough (iron or	960 i	Rardware Products and related	1
steel)	760, 764, 765	items	362
Forms (M)	395-397	Hat Boxes (M)	395-397
Frames, circular (iron or	. · · ·	Hinges, steel	362
steel)	760, 764, 765	Holders, disinfectant, or	j
Fruit (not dried, evaporated	1 1 4 1 4 1 4 1 4 1 4 1 1 1 1 1 1 1 1 1	deodorant NOI	395-397
nor fresh)	320	Holders, silverware (M)	395-397
11111	w==	1	
Fruit, candied, crystallized,	260	Hominy	320-1
glaced or stuffed	360	Honey	320, 360
Fruit, crushed	320	Hoops, iron or steel	760, 764, 76
Fruits, dried or evaporated	350	Horseradish	360
Fruit Drink	320	Horseradish, prepared	320-1
Fruit Juice Powders or		Hulls, viz.: cocoa bean,	1
Crystals, Citrus	360	cottonseed, nut, sun-	t .
Fruit Peel, candied, crystal-	***		652-664
	250	flower, whole or ground	652-654
lized, glaced or stuffed	360	Humus	370
Fruit Syrups	360	Ice	660
Fuel, Wood	729	11	335-6
		Ice Cream	
Cames	355	Icings	360
Games (M)	395 - 397	Ingots, iron or steel	760, 764, 76
Gardening or Landscaping	1 50-4-07	Ingredients, Dinner or Soup	360
	270	Insecticides (M)	377.5, 723-7
Products	370	Iron, plate or sheet (M)	365
Garlic Chips; Garlic Powder	320	Iron and Steel, structural,	·
Gas, petroleum liquefied	377.5, 723-726	fabricated or unfabricated	760, 764, 76
Gears, running, steam		LAULICAGE OF UNIADTICATED	1007 1047 16
boiler (M)	365		224
Gelatine	360	Jam; Jelly	320
Generators, Electric (M)	365	Jewelry, costume and	1
	,	novelty (M)	395-397
Corm, wheat	652~6545	Joints, Sucker Rod (iron	!
Girders, reinforced	1 220	or steel)	365
concrete	318	Joists (reinforced concrete)	318
Girders, iron or steel	760, 764, 765		335.7
Glassware, NOI (M)	395-397	Juico, Apple (M)	
Clucose	360	Juice, citrus fruit (M)	335-7
Grain Products as described	· - · •	Juice, Clam	320
under the heading "Grain	1	Juice, Fruit	320, 335.7
	ţ .	Juice, grape (M); Juice,	
Products" in the Govern-	1	prune (M)	335.7
ing Classification	652-6545	Junk (waste paper and rags)	765
Grate Bars, iron or steel	365		1
Grit, processed from	{	Kernels, sunflower	348
rock or shell	652-6545	Kits (M)	395-397
Groceries and Grocers'		Knobs, door or drawer, metal	
Supplies	360	{}	1
Guides, elevator (iron or	1	Tadday sesantidas santa an	1
	750 751 717	Ladder assemblies, tank or	1960 me
steel)	760, 764, 765	tower (iron or steel)	760, 764, 76
	1 360	Lard; Lard Compounds; Lard	1
Cum, Chewing	[1
cum, cnewing	1	Substitutes	335.5
cum, cnewing			335.5 362

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

* Addition } Decision No. 86449

EFFECTIVE

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

INDEX OF COMMODITIES (Concluded)

Only those articles which are named in commodity rate items or in Exceptions to the Governing Classification and Exception Ratings Taxiff are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Tea l	360.5	Vaults, Grave	334_8
Tea, extract of (condensed	1	Vaults, Utility	334_8
or instant), dry	360-5	Vegetable Oil Shortening	335.5
Tees	760,764,765	Vegetables (not dehydrated,	
Tickets (M)	395-397	dried, evaporated nor	1
Ties, bale	760,764,765	fresh)	320-1
Ties, railroad	690,710	Vencering	690,700,710
Timbers	690,700,710	Vermicelli, except canned	360.5
Tinplate	760,764,765	Vermicelli (prepared)	320
Tire Tubes (M)	377.5,723-726	Vermicelli, dry, and other	}
Tires, Pneumatic (M)	377.5.723-726	ingredients	345,360
Toilet Preparations and	33,	Vermouth	400
Other Articles (M)	395-397	Vinegar	320-1
Tools, Mechanics (M)	365	(}
Towers, Water Cooling,	1	Wallboard, other than	}
Atmospheric (M)	365	plasterboard	762,767
Toys	355	Washers	760,764,765
Toys (M)	395-397	Washing Powders	730-732
Trays, plastic (M)	395-397	Washing Soda	730-732
Triglycerides of Fat-	393-397	Wax, automobile, boat,	150-752
forming Fatty Acids	325.5	floor or furniture (M)	377.5.723-72
Trisodium Phosphate	730-732	Wax, boat, floor,	377-5,723-72
Trucks, Steam Boiler (M)	365	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	303	Welsh Rarebit	320-1
or wrought, plate or	' }	Wheat Germ	652-6545
sheet	365	Whey	345
Tubing, iron or steel, well	1 303	Wine	360,400
casing or drilling	365	Wine, cooking	320-1
Tubing, pier	760,764,765	Wire	760,764,765
Tubs, Woodenware	758	Wood Preservatives (M)	377.5.723-72
Turnbuckles	760,764,765	Wool, Steel	410
* #** ## ## ## ## ## ## ## ## ## ## ## #	100,104,103	NOON, Steam	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.

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EFFECTIVE

^{*} Addition, Decision No.

SECTION 1RULES OF GENERAL APPLICATION (Continued)			
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,		1	
LTL, having a density of:			
Less than 2 pounds per cubic feet	90% of 300		
2 pounds per cubic foot, but less than 4 pounds	90% of 250	*635	
4 pounds per cubic foot, but less than 6 pounds	90% of 150	}	
6 pounds per cubic foot, but less than 12 pounds	90% of 100		
NOTE 1Applicable 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 3Not 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.			

* Addition) Decision No.

86449

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