

Decision No. 86476

ORIGINAL

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. 891
(Filed May 19, 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 the establishment in MRT 2 of a rule which would allow the free return of empty carriers when originally moved filled with new auto parts or accessories.

Petitioner states that a highly efficient method of packaging, loading, unloading and transporting new auto parts or accessories has been developed on movements generally throughout the State. According to petitioner, odd and differently shaped cartons are placed in a rigid plastic container to minimize the need for individual handling of large numbers of small units to maximize load size regularity and to minimize loss and damage thereby assuring customers that orders will arrive at destination in satisfactory condition. Petitioner points out that the proposed type of shipping consolidation introduces transportation efficiencies not normally found in the handling of new auto parts or accessories and significant cost savings are realized by the carrier in the speed and ease of loading, unloading and terminal handling.

Due to the experimental nature of the proposal, the volume of the movement is not known but reductions of at least 58 cents per hundred pounds for returning carriers will result.

Copies of the petition were mailed to various chambers of commerce, shipper organizations, carrier associations and other interested parties on or about May 18, 1976. The petition was listed on the Commission's Daily Calendar of May 20, 1976. No objection to the granting of the petition has been received.

In the circumstances, the Commission finds that the petitioner's proposal is reasonable; the resulting rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation involved as hereinafter indicated. Reference in the proposed rule to "place of origin" will be changed to read "point of origin" to conform with the term currently used in the tariff. A public hearing is not necessary. The Commission concludes that the petition should be granted as set forth in the ensuing order.

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 November 6, 1976, Forty-eighth Revised Page 3 and Original Page 15-BB 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 revisions 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,


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.

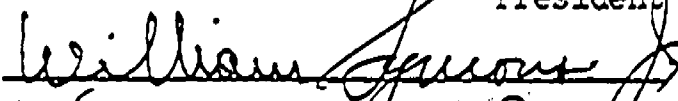

4. Common carriers, in establishing and maintaining the amendments authorized hereinabove, are hereby authorized to depart from the provisions of Section 461.5 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; 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.

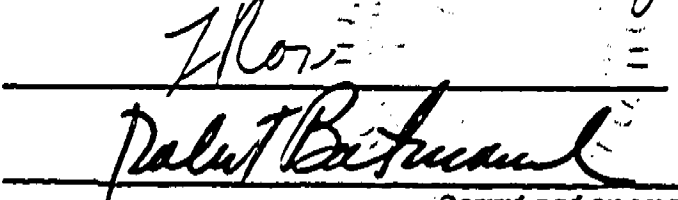
5. In all other respects Decision 31606, as amended, shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 5th day of October, 1976.



President



Vernon L. Sturgeon


Robert B. Friedman
Commissioners

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o Change) * Addition) Decision No. 86476	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	
Correction	

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">EMPTY CARRIERS RETURNING, NEW AUTO PARTS</p> <p>The provisions of this item apply only in connection with shipments of new automobile parts or accessories transported under rates named in Section 2 of this tariff, subject to all of the following paragraphs:</p> <ol style="list-style-type: none"> 1. When empty carriers used for the transportation of new automobile parts or accessories are offered for return shipment to the point of origin of the original shipment, such carriers will be returned free of charge; except when the provisions of Item 145 apply, those charges shall be assessed. 2. Such empty carriers must be constructed of rigid plastic, not exceed an outside cubic dimension of four feet, have a fitted top, and be so formed as to allow the carriers to be nested when empty. 3. The carrier must determine that the empty carriers were moved filled to the consignor of the return shipment, and are being returned by the same carrier(s) to the consignor of the original inbound shipment. 4. Empty carriers must be tendered to the carrier, and be available for immediate shipment, at the time of delivery of an inbound shipment of filled carriers. 5. The carrier shall only be responsible for the return of the number of empty carriers noted on the returning bill of lading, and not for their condition. 6. The shipper of the loaded carrier(s) must note on the bill of lading at the time of shipment that the carrier(s) should return, when empty, in substantially the following form: <p style="padding-left: 40px;">"Return _____ carrier(s) per Item 48 of MRT 2"</p> <p style="padding-left: 40px;">NOTE.--The blank in the above statement represents the space where the exact number of carriers shall be entered; not to exceed the number of full carriers transported.</p>	*048
<p>* Addition) o Reduction) Decision No. 86476</p>	
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Correction