

Decision 87 10 012

OCT 16 1987

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 the)
transportation of livestock and)
related items statewide as provided)
in Minimum Rate Tariff 3-A and the)
revisions and reissues thereof.)

Case 5433
Petition for Modification 79
(Filed December 30, 1985;
amended December 17, 1986)

Richard W. Smith and Daniel J. McCarthy,
Attorneys at Law, for California
Trucking Association, petitioners.
Dane C. Dauphine, Attorney at Law, for
California Farm Bureau Federation,
and John W. Ross, for California
Cattlemen's Association, interested
parties.
Patricia A. Bennett, Attorney at Law,
for the Commission staff.

O P I N I O N

Petitioner California Trucking Association requests that the Commission increase the mileage rates and certain charges of Minimum Rate Tariff (MRT) 3-A as set out in the amended petition. MRT 3-A contains minimum rates and rules for the transportation of livestock. The petition is opposed by the California Cattlemen's Association (protestant). The matter was heard in San Francisco May 5, 1987, and was submitted upon the filing of written closing statements.

Petitioner alleges that since the last adjustment in rates in MRT 3-A was made by Decision (D.) 82-05-022, dated May 4, 1982, in Case 5433, Petition 76, the level of costs of conducting motor carrier operations under MRT 3-A, as measured by the Commission's datum plane, have increased. Such increases are attributable in part to higher labor costs resulting from increased

wages and payroll taxes payable under contractual labor agreements, to social benefit legislation, and to higher insurance premium rates. In addition, the cost of purchasing, maintaining, and operating livestock carrier equipment has increased. To offset these cost increases, petitioner requests that all rates in MRT 3-A be increased.

This petition requests an increase in the base rates of 3.5% at the middle distances (250 constructive miles) to 13% on the 15- to 50-mile distances. However, in its closing statement after the hearing, petitioner stated that it supported the staff's recommended increases, which were on a somewhat lesser magnitude and ranged from an increase in the base rates of 2% beyond 260 miles to 10% at 30 miles or less. Also, petitioner requests that the existing surcharge previously granted to cover an increase in the cost of insurance be rolled into the base rates; the staff opposes this request.

Petitioner and the staff each introduced exhibits reporting on the updated cost of operating under MRT 3-A. Since petitioner has adopted the staff's position, there is no need to dwell at length on petitioner's cost report. Suffice to say, petitioner's report used costs as of January 1, 1986. It also was based on the wage cost offset method which increased the indirect expenses proportionately with the increase in direct costs thereby resulting in a greater overall cost increase. The staff's report in contrast was based on direct wage offset method which held the indirect costs constant regardless of the increase in the direct costs¹ and which used the later costs as of January 1, 1987.

¹ See 70 CPUC 277 for explanation of the different offset methods. In previous MRT 3-A offset proceedings, the Commission has adopted the use of the direct wage offset method.

The staff's cost report is set forth in Exhibit C. The staff witness supporting the exhibit testified that the report was prepared to show the increased labor and equipment costs and decreased fuel costs that have occurred between January 1, 1982 and January 1, 1987. Questionnaires were used to collect the latest and up-to-date information on the wages and fringe benefits paid in the livestock trucking industry labor. Questionnaires were sent to 38 carriers and 36 carriers responded. The 36 carriers represented 85% of the revenue of livestock carriers regulated by the Commission.

A random sample of 190 livestock shipments recorded on freight bills received in connection with the staff's on-going traffic flow study for the years 1986 and 1987 to date were analyzed. Table 3 of Exhibit D shows that the movements are scattered through the mileage blocks up to 160 miles with several loads of 41,000 pounds or more moving greater distances. Previously, D.83-06-082, dated June 29, 1983, indicated that livestock movements were predominantly 200 miles.

The staff's report makes the following adjustments to the cost levels of January 1, 1982, to bring them up to the level of January 1, 1987:

- a. An increase in the basic hourly wage of \$1.27 per hour.
- b. A decrease in the employer's contribution to the Health and Welfare fund of \$5.52 per man per month.
- c. An increase in the Compensation Insurance resulting in a new manual rate for Class 7219 (A) of \$16.28 per \$100 of wages.
- d. An increase in taxable wages from \$32,400 to \$43,800 and in percentage rate from 6.7% to 7.15% for the FICA Contribution.

- e. An increase in equipment investment costs from \$48,490 to \$63,042 for trucks and from \$17,431 to \$19,683 for trailers based on current Commission data bank information.
- f. An increase in taxes and licenses for equipment to reflect 1987 costs.
- g. An increase in the PL/PD insurance from 4.90% to 9.01%.
- h. A decrease of 32¢ a gallon in the cost of fuel and adjustments in the cost of oil, tires, and maintenance to the appropriate cost found in the staff study.

The staff report then developed total costs at an operating ratio of 100%² using the direct wage offset method which holds indirect costs constant. Based upon the costs at operating ratio of 100, the staff recommended, generally, that the MRT 3-A rates be increased. In many instances there will be no change for rates at greater distances, but for shorter distances there will be a significant rate increase. As these increased rates will be in the meaningful distances where heavy traffic flow is experienced, an overall rate increase of \$835,000 is projected. This amount is in addition to the 3% insurance surcharge increase already accorded livestock operators. The 3 percent surcharge for the increased cost of insurance now exists in connection with MRT 3-A. Since the insurance surcharge decision, D.86-05-053, is an interim opinion and there could be additional changes to the insurance factor, the staff recommends Surcharge Supplement 27, MRT 3-A be kept separate and independent of any alterations to the rates which might occur because of Petition 79. The rates would be adjusted to prevent

² With the exception of the traffic flow, the staff applied the increased costs to the performance factors and productivity data established in Case 5433, Petition 18, which is the last full scale livestock carrier cost and rate study. The decision in that case is D. 66072, dated September 24, 1963, reported at 61 CPUC 450.

double counting of insurance costs by rolling in the specified percentage and then the rate alterations would be in addition to the annual amount projected in Table 1 of \$583,000 for the 3% insurance increase.³

Protestant contends that the operating performance factors and productivity data used by the staff are out of date and do not reflect present day operations under MRT 3-A. For instance, protestant argues that there is no justification for the labor cost to provide bedding for the trailers to vary with the length of the trip. Protestant also argues that the baseline loading and unloading times are excessive, as are the running times: 21.21 hours for 350 miles and 30.30 hours for 500 miles. Protestant contends the fixed expenses and resulting depreciation calculations are flawed and that the veracity of the wage rates used by the staff is questionable due to the method used by the staff in collecting information on wages. Additionally, protestant argues that since the staff witness was unable to answer which of the 190 livestock shipments randomly sampled (summarized in Table 3 of Exhibit D) were moved by regulated carriers, the results of such sample are questionable, particularly when the sample contains so many small loads, which protestant says may be a statistical oddity.

Protestant calls for a new full scale cost and rate study based on present day operations under MRT 3-A.

Protestant requests that the only cost differential we should now take cognizance of is the 32¢ difference between the

³ Remove the 3% insurance surcharge from the foregoing rates so adjusted by taking the reciprocal of 3 (.9709) and applying it to the increased rate after obtaining the load revenue by multiplying the rate times the minimum weight shown in the tariff. Then convert to a rate in cents per 100 pounds and round off to the nearest whole number by use of the Supplement 27, MRT 3-A rounding rule.

\$1.14 a gallon fuel cost on which the present MRT 3-A rates are based and the present fuel cost of 82¢ per gallon as found by the staff and that the MRT 3-A rates be reduced accordingly.

Discussion

Protestant contends that the performance factors and operating data established by Case 5433, Petition 18, are outmoded and objects to their use as a basis for establishing the datum plane for this case. The use of performance factors and operating data established in the last full scale general cost study is, of course, an approved Commission procedure in rate adjustment cases. In approving such procedure, the Commission said in 70 CPUC 277, 278 that in the interim between full scale cost and rate studies "certain cost and performance factors of the basic study are held to be a reasonable reflection of the actual operating experiences of the for-hire carriers involved." Costs which change materially at an annual rate, such as labor and other allied payroll expenses and which constitute a major portion of the total highway carrier transportation costs, are allowed by the Commission to be periodically reflected in the minimum rates through offset proceedings such as this case. As of now, there are no other performance factors or operating data available to judge the reasonableness of the rates save the ones established in Case 5433, Petition 18. While these factors and data were established some time ago, we do not have evidence in the record that any of these factors or data have been recently tested and found to be materially changed with time, evidence which we would need before we would consider denying a request for a rate adjustment based on previously accepted factors and data. Since no such evidence has been put into the record, we will not deny petitioner's request for a rate adjustment because of the age of the factors and data used.

In an effort to show that the factors and data are totally out of line, protestant argues that the running times set out in staff Exhibit C at page 8 are excessive, particularly the

running time of 21.21 hours for a haul of 350 miles and of 30.30 hours for a haul of 500 miles. But the running times are set forth for the purpose of costing and are round trip running times,⁴ not one-way running times, and includes time for loading, unloading, and the furnishing of bedding.⁵ Protestant also claims there is no justification for bedding labor costs to vary with the length of the trip. Such justification was made in the full scale cost study in Case 5433, Petition 18, and like the running times, does not have to be justified in every rate adjustment case, or else a simple rate adjustment case could be turned into a full scale cost study merely by a protestant challenging performance factors and productivity data findings in the previous full scale cost study.

The remaining arguments of protestant go to the weight that should be accorded the staff's evidence. We are not convinced by protestants arguments, and we will, therefore, accept staff's evidence at face value.

We will approve the rate increases recommended by the staff.

We agree with protestant and petitioner that it is past time for another full cost and rate study to be conducted pertaining to operations under MRT 3-A, and we intend to resolve this problem in another proceeding.

Findings of Fact

1. Petitioner and staff request that the minimum rates in MRT 3-A be adjusted to reflect the differences between the January 1, 1982 level of wages, payroll taxes, fuel cost, insurance costs, and costs pertaining to carrier equipment, on which the last

⁴ Round trip running times are established as a basis for costing running expenses in Case 5433, Petition 18.

⁵ Item 100 of MRT 3-A.

MRT 3-A rate adjustments were based, and the level of each of those costs on January 1, 1987.

2. The following cost adjustments will bring the January 1, 1982 level of the above cost items to the January 1, 1987 level of those cost items:

- a. An increase in the basic hourly wage of \$1.27 per hour.
- b. A decrease in the employer's contribution to Health and Welfare fund of \$5.52 per man per month.
- c. An increase in the Compensation Insurance resulting in a new manual rate for Class 7219 (A) of \$16.28 per \$100 of wages.
- d. An increase in taxable wages from \$32,400 to \$43,800 and in percentage rate from 6.7% to 7.15% for the FICA Contribution.
- e. An increase in equipment investment costs from \$48,490 to \$68,042 for trucks and from \$17,431 to \$19,683 for trailers.
- f. An increase in taxes and licenses for equipment to reflect 1987 costs.
- g. An increase in the PL/PD insurance from 4.90% to 9.01%.
- h. A decrease of 32¢ a gallon in the cost of fuel and an adjustment in the cost of oil, tires, and maintenance as found in the staff study.

3. Findings of Fact 2.a., b., and g. were determined by answers to staff questionnaires received from carriers representing 85% of the annual revenue of livestock carriers regulated by the Commission.

4. Findings of Fact 2.c. and d. follow as a matter of law the wage increase found in Finding of Fact 2:a.

5. Finding of Fact 2.e. was determined from the Commission's current data bank information.

6. Finding of Fact 2.f. follows as a matter of law the increased cost of equipment.

7. Finding of Fact 2.h. was determined through a staff study of the cost of the various items.

8. Livestock traffic flow, which is set out in Table 3 of Exhibit D, was properly determined from staff's on-going traffic flow study from and including the year 1986.

9. Table 7 of staff Exhibit C, which is based on the adjustments set out in Finding of Fact 2, set forth the full costs per trip at 100 operating ratio for truck and trailer units transporting fat cattle.

10. In developing Table 7 of Exhibit C, the staff properly used the direct wage offset method.

11. In developing Table 7 of Exhibit C, the staff properly used performance factors and productivity data established in the last full scale livestock carrier cost and rate study.

12. No need exists for altering insurance Surcharge Supplement 27 of MRT 3-A separate and independent of any alterations to the rates which might occur because of the increased rates.

13. Appendix A sets forth the rates in connection with the insurance surcharge, upon which the cost per trip at operating ratio 100 are based.

14. The Appendix A rates are necessary for livestock carriers to earn reasonable levels of revenue under MRT 3-A.

15. The rates set forth in Appendix A are reasonable.

16. The present MRT 3-A rates insofar as they differ with the rates set out in Appendix A are for the future unjust and unreasonable.

Conclusions of Law

MRT 3-A should be amended to conform to the tariff pages set out in Appendix A.

ORDER

IT IS ORDERED that:

1. Minimum Rate Tariff 3-A (Appendix A to Decision 55587, as amended) is further amended by incorporating, effective 5 days after the effective date of this order, the revised pages included in Appendix A.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision 55587, as amended, are directed to establish in their tariffs the changes necessary to conform with the further adjustments ordered by this decision.

3. Tariff publications required to be made by common carriers as a result of this order shall be filed not earlier than the effective date of this order and made effective five days after the date of this order, on not less than five days' notice to the Commission and to the public.

4. Common carriers, in establishing and maintaining the rates authorized by this order, are authorized to depart from the provisions of PU Code Section 461.5 to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are modified only to the extent necessary to comply with the order; and schedules containing the rates 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 55587, as amended, shall remain in full force and effect.

6. The Executive Director shall serve a copy of this decision on every common carrier, or such carriers' authorized tariff publishing agents, performing transportation services subject to Minimum Rate Tariff 3-A.

7. The Executive Director shall serve a copy of the tariff amendment on each subscriber to Minimum Rate Tariff 3-A.


This order becomes effective 10 days from today.

Dated OCT 16 1987, at San Francisco, California.

STANLEY W. HULETT
President
DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
Commissioners

Commissioner John B. Ohanian, being necessarily absent, did not participate.

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Victor Weisser, Executive Director

APPENDIX A

LIST OF REVISED PAGES
TO MINIMUM RATE TARIFF 3-A

SIXTEENTH	REVISED	PAGE 9
FIFTEENTH	REVISED	PAGE 9-A
TWELFTH	REVISED	PAGE 10
THIRTEENTH	REVISED	PAGE 11
TWELFTH	REVISED	PAGE 17-A
TWENTY-SECOND	REVISED	PAGE 18
NINTH	REVISED	PAGE 18-A
FIRST	REVISED	PAGE 18-C
NINETEENTH	REVISED	PAGE 19
ELEVENTH	REVISED	PAGE 21

(END OF APPENDIX A)

SECTION 1--RULES (Continued)

ITEM

SPLIT PICKUP (See Note 1)

1. The charge for a split pickup shipment, as defined in Item 10, shall be the charge applicable for transportation of a single shipment of the same kind and quantity of livestock for the distance to point of destination from that point of origin which produces the shortest distance via the other point or points of origin (See Exception), plus an added charge of \$11.75 per component part.

EXCEPTION.--In the event that a shipment has origin and destination points within and without a mileage territory, and any of such points are located within a metropolitan zone, the shortest distance shall be computed subject to the following provisions:

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- (a) Between a point within a metropolitan zone and a point not within the same metropolitan zone group but within the Related Mileage Territory, use for constructive mileage determination for the point within the metropolitan zone, the mileage basing points for the applicable metropolitan zone groups.
- (b) Between two or more metropolitan zones within the same metropolitan zone group, use for constructive mileage determination the mileage basing points for the individual metropolitan zones.

NOTE 1.--Does not apply to transportation of Feeder Cattle.

◊ Increase, Decision No.

87 10 012

EFFECTIVE 10-31-87

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

Correction

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">SPLIT DELIVERY (See Note 1)</p> <p>1. The charge for a split delivery shipment, as defined in Item 10, shall be the charge applicable for transportation of a single shipment of the same kind and quantity of livestock for the distance from point of origin to point of destination which produces the shortest distance, via the other point or points of destination (See Exception), plus an added charge of \$11.75 per component part.</p> <p>EXCEPTION.--In the event that a shipment has origin and destination points within and without a mileage territory, and any of such points are located within a metropolitan zone, the shortest distance shall be computed subject to the following provisions:</p> <p>(a) Between a point within a metropolitan zone and a point not within the same metropolitan zone group but within the Related Mileage Territory, use for constructive mileage determination for the point within the metropolitan zone, the mileage basing points for the applicable metropolitan zone groups.</p> <p>(b) Between two or more metropolitan zones within the same metropolitan zone group, use for constructive mileage determination the mileage basing points for the individual metropolitan zones.</p> <p>NOTE 1.--Does not apply to transportation of Feeder Cattle.</p>	0180
<p style="text-align: center;">LIVESTOCK SERVICE SHIPMENT</p> <p>The rate for the transportation of a livestock service shipment shall be determined and applied as follows:</p> <p>Distance rates shall be determined by the distance from that point of origin to that point of destination which produces the shortest distance via all points of origin and/or destination (See Exception).</p> <p>In addition to the rate for transportation, an additional charge of \$11.75 shall be assessed for each component part; except that such additional charge shall not apply on any shipment involving only a single pickup and a single delivery; nor will it apply to the transportation of feeder cattle.</p> <p>EXCEPTION.--In the event that a shipment has origin and destination points within and without a mileage territory, and any of such points are located within a metropolitan zone, the shortest distance shall be computed subject to the following provisions:</p> <p>(a) Between a point within a metropolitan zone and a point not within the same metropolitan zone group but within the Related Mileage Territory, use for constructive mileage determination for the point within the metropolitan zone, the mileage basing points for the applicable metropolitan zone groups.</p> <p>(b) Between two or more metropolitan zones within the same metropolitan zone group, use for constructive mileage determination the mileage basing points for the individual metropolitan zones.</p>	0185
<p>o Increase, Decision No. 87 10 012</p>	
<p>EFFECTIVE 10-31-87</p>	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">MIXED SHIPMENTS</p> <p>Rates on mixed shipments of livestock shall be assessed in accordance with the following:</p> <p>1. When two or more types of livestock, for which different rates are named in this tariff, are shipped as a mixed shipment, separate weights will be obtained (See Items 130, 140 and 150) and charges shall be computed at the separate rates applicable to each type of livestock in straight shipments at the combined weight of the mixed shipment. The minimum weight shall be the highest provided for any of the rates used in computing the charges, subject to Item 160. In the event a lower charge results by considering such types of livestock as if they were divided into two or more separate shipments, such lower charge shall apply. (See Note 1)</p> <p>NOTE 1.--If the actual weight of a mixed shipment has been confirmed by a public weighmaster's certificate for the entire mixed shipment only and not separately for each type of livestock contained therein, charges shall be based on the provided weight for each type of livestock included in the mixed shipment as follows:</p> <p>(a) When the total provided weight exceeds the total confirmed actual weight, the deficiency between the provided and the actual weights shall be computed at the lowest rate for any type of livestock included in the mixed shipment and the amount so determined shall be deducted from the charges resulting under the total provided weight of the shipment.</p> <p>(b) When the total provided weight is less than the total confirmed actual weight, the deficiency between the actual and the provided weights shall be computed at the lowest rate for any type of livestock included in the mixed shipment and the amount so determined shall be added to the charges resulting under the total provided weight of the shipment.</p> <p>2. When livestock for which rates are named in this tariff are included in a mixed shipment containing other livestock or commodities, the livestock subject to rates named in this tariff will be rated as a separate shipment.</p> <p>3. Dairy cattle included in mixed shipments with other kinds of livestock transported within or between the zones described in Item 310 shall be subject to the rates in cents per 100 pounds named in this tariff for cattle in straight shipments.</p>	190
<p style="text-align: center;">STOPPING IN TRANSIT</p> <p>Except as otherwise provided in this rule, when a shipment or portion thereof is unloaded in transit for the purpose of weighing, sorting, feeding or for any other reason, the following additional charges shall be assessed: (See Notes 1 and 2)</p> <p>\$16.45 per stop for carrier's equipment with one loaded deck, \$22.53 per stop for carrier's equipment with more than one loaded deck.</p> <p>NOTE 1.--No charge shall be made in connection with a stop-in-transit where the cause is attributable to the carrier nor shall any charge under this item be made for time when carrier's equipment is inactivated because of mechanical failure or when driver is off duty.</p> <p>NOTE 2.--The provisions of this item shall not apply to transportation of Feeder Cattle.</p>	200
<p>o Increase, Decision No. 87 10 012</p>	
<p>EFFECTIVE 10-31-87</p>	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>Rates of common carriers by land may be applied in lieu of the rates provided in this tariff, when such common carrier rates produce a lower aggregate charge for the same transportation from the same point of origin to the same point of destination than results from the application of the rates herein provided. (See Notes 1 and 2)</p> <p>NOTE 1.--In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.</p> <p>NOTE 2.--When a common carrier rate, which does not include the service of loading and/or unloading is applied under the provisions of this item and when loading and/or unloading services are provided in connection with the transportation services performed, the following additional charges shall be assessed.</p> <p> Loading-----15 cents per 100 pounds Unloading-----15 cents per 100 pounds </p>	<p>0210</p>
<p>◊ Increase, Decision No. 87 10 012</p>	
<p>EFFECTIVE 10-31-87</p>	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

MINIMUM RATE TARIFF 3-A

SECTION 2--DISTANCE COMMODITY RATES (Continued)						ITEM
In Cents per 100 Pounds						
CATTLE, viz.: Bulls, Calves, Cattle, Cows, Dairy Cattle, Heifers, Oxen and Steers.						
HOGS, viz.: Barrows, Boars, Butcher Hogs, Feeder Pigs, Gilts, Hogs, Pigs, Sows, Stags and Swine.						
MILES		RATES				
		Minimum Weight in Pounds				
Over	But Not Over	Any Quantity	10,000	30,000 (See Note 1 Item 275)	(1) 40,000 (See Note 2 Item 275)	
0	3	46	31	25	19	
3	5	49	34	28	22	
5	10	51	36	29	25	
10	15	58	38	31	27	
15	20	64	40	34	29	
20	25	71	42	36	30	
25	30	77	45	40	32	
30	35	81	49	42	33	
35	40	85	53	44	35	
40	45	90	56	45	37	
45	50	94	60	47	40	
50	60	103	67	51	43	
60	70	111	73	56	45	
70	80	120	84	60	49	
80	90	133	95	67	56	
90	100	139	102	71	59	
100	110	146	110	75	63	
110	120	152	117	79	67	
120	130	157	124	83	71	
130	140	164	132	89	74	
140	150	170	139	93	79	
150	160	177	146	97	83	
160	170	180	151	101	84	
170	180	187	158	105	90	
180	190	192	165	109	93	
190	200	201	173	115	97	
200	220	215	187	123	104	
220	240	227	201	133	111	
240	260	240	215	143	119	
260	280	252	227	152	125	
280	300	265	242	161	132	
300	325	280	259	172	141	
325	350	297	276	185	152	
350	375	311	293	196	161	
375	400	327	310	210	171	

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(Continued)

o Increase)
 o Reduction) Decision No.

87 10 012

EFFECTIVE 10-31-87

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

Correction

SECTION 2--DISTANCE COMMODITY RATES (Continued)						ITEM	
In Cents per 100 Pounds							
CATTLE, viz.: Bulls, Calves, Cattle, Cows, Dairy Cattle, Heifers, Oxen and Steers.							
HOGS, viz.: Barrows, Boars, Butcher Hogs, Feeder Pigs, Gilts, Hogs, Pigs, Sows, Stags and Swine.							
/	MILES		RATES				
	Over	But Not Over	Minimum Weight in Pounds				
Any Quantity			10,000	30,000 (See Note 1 Item 275)	(1) 40,000 (See Note 2 Item 275)		
400	425	341	327	221	180	00270 (Con- clud- ed)	
425	450	355	343	232	190		
450	475	368	360	245	200		
475	500	383	376	256	211		
500	525	399	394	268	221		
525	550	414	410	280	231		
550	575	428	425	292	241		
575	600	443	442	303	250		
For distances over 600 miles add for each 25 miles or fraction thereof in excess of 600 miles		13	13	11	10		
(1) Rates subject to minimum weight of 40,000 pounds are also subject to the provisions of Item 295 (Livestock Volume Tender Rates).							
(Continued in Item 275)							
◊ Increase) Decision No. 87 10 012 ◊ Reduction)							
EFFECTIVE 10-31-87							
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.							
Correction							

SECTION 3--DISTANCE COMMODITY RATES (Continued) In Cents per 100 Pounds						ITEM	
CATTLE, viz.: Bulls, Calves, Cattle, Cows, Dairy Cattle, Oxen and Steers.							
Over	But Not Over	(1)(2)(3)(4)	Over	But Not Over	(1)(2)(3)(4)		
		44,000 (See Note 3 Item 275)			44,000 (See Note 3 Item 275)		
0	3	18	190	200	80		
3	5	19	200	220	88		
5	10	20	220	240	95		
10	15	21	240	260	101		
15	20	23	260	280	107		
20	25	25	280	300	114		
25	30	27	300	325	122		
30	35	29	325	350	131		
35	40	31	350	375	141		
40	45	33	375	400	150		
45	50	37	400	425	159		
50	60	39	425	450	168		
60	70	41	450	475	178		
70	80	43	475	500	186		
80	90	50	500	525	196		
90	100	51	525	550	206		
100	110	54	550	575	215		
110	120	57	575	600	224		
120	130	60	For distances over 600 miles add for each 25 miles or fraction thereof in excess of 600 miles				
130	140	61					
140	150	64					
150	160	67					
160	170	70					
170	180	73					
180	190	76					

00272
(Con-
tin-
ued)

- (1) Rates apply only:
- (a) To the transportation of cattle to packing houses or slaughter houses for slaughter, subject to the varying minimum weights per shipment as set forth in Note 3 of Item 275; and
 - (b) When actual weight of the shipment is confirmed by a public weighmaster's certificate.
- (2) Rates are not subject to the provisions of:
- (a) Item 130 (2), Shipments of livestock for which the carrier may, but is not required to, obtain a public weighmaster's certificate;
 - (b) Item 140 (2), Determination of weights and charges;
 - (c) Item 150, Provided weights per animal;
 - (d) Item 190, Mixed shipments;
- and do not apply to the transportation of cattle in mixed shipments with other livestock.

(Continued on next page)

◊ Increase) Decision No. **87 10 012**
 ◊ Reduction)

EFFECTIVE 10-31-87

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

Correction

SECTION 2--DISTANCE COMMODITY RATES (Continued) In Cents per 100 Pounds						ITEM
SHEEP, viz.: Ewes, Goats, Kids, Lambs, Rams (Bucks), Sheep, Sheep Camp Outfits and Wethers.						
MILES		RATES				
		Minimum Weight in Pounds				
Over	But Not Over	Any Quantity	10,000	30,000	(1) 40,000	
				(See Note 1 Item 285)	(See Note 2 Item 285)	
0	3	46	40	36	32	
3	5	49	41	38	36	
5	10	51	43	42	38	
10	15	57	47	43	40	
15	20	64	50	46	42	
20	25	69	54	47	44	
25	30	75	57	48	45	
30	35	79	61	50	46	
35	40	85	64	53	48	
40	45	89	68	54	49	
45	50	94	72	57	52	
50	60	101	80	61	56	
60	70	109	89	66	58	
70	80	116	94	69	61	
80	90	129	106	79	68	
90	100	136	114	83	73	
100	110	143	121	89	78	
110	120	147	131	95	83	
120	130	153	138	100	89	
130	140	159	147	104	93	
140	150	164	154	110	97	
150	160	170	161	116	102	
160	170	174	165	118	104	
170	180	181	171	123	108	
180	190	187	178	128	112	
190	200	194	185	133	118	
200	220	208	198	143	126	
220	240	220	213	154	135	
240	260	233	226	165	143	
260	280	243	236	173	152	
280	300	256	250	183	161	
300	325	272	268	196	171	
325	350	287	285	210	182	
350	375	303	300	222	193	
375	400	317	314	235	203	

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◊ Increase) Decision No. **87 10 012**
 ◊ Reduction)

EFFECTIVE **10-31-87**

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

Correction

SECTION 2--DISTANCE COMMODITY RATES (Continued) In Cents per 100 Pounds						ITEM
SHEEP, viz.: Ewes, Goats, Kids, Lambs, Rams (Bucks), Sheep, Sheep Camp Outfits and Wethers.						
MILES		RATES				
		Minimum Weight in Pounds				
Over	But Not Over	Any Quantity	10,000	30,000 (See Note 1 Item 285)	40,000 (See Note 2 Item 285)	
400	425	334	331	248	215	
425	450	349	346	260	225	
450	475	363	360	273	236	
475	500	377	375	286	246	
500	525	394	392	299	257	
525	550	408	406	311	268	
550	575	424	421	325	279	
575	600	439	435	338	289	
For distances over 600 miles add for each 25 miles or fraction thereof in excess of 600 miles		13	13	11	8	

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(1) Rates subject to minimum weight of 40,000 pounds are also subject to the provisions of Item 295 (Livestock Volume Tender Rates).

(Continued in Item 285)

o Increase) Decision No. 87 10 012
 o Reduction)

EFFECTIVE 10-31-87

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

Correction

SECTION 3--RATES (Continued) In Dollars Per Head							ITEM
Dairy Cattle, as described in Item 10. (Subject to Notes 1, 2, 3 and 4)							
BETWEEN AND	Scale A ZONES (See Item 310 for territorial zone descriptions)						
ZONES	A	B	C	D	E	F	
A	12.82						0300
B	16.02	12.82					
C	32.04	32.04	12.82				
D	42.72	42.72	42.72	12.82			
E	42.72	42.72	48.06	16.02	12.82		
F	48.06	48.06	48.06	32.04	21.36	12.82	
BETWEEN AND	Scale B ZONES (See Item 310 for territorial zone descriptions)						
ZONES	A	B	C	D	E	F	
A	2.67						
B	2.67	2.67					
C	6.67	6.41	2.67				
D	9.61	9.61	10.68	2.67			
E	10.15	10.15	11.21	3.20	2.67		
F	11.21	11.21	12.82	6.41	5.34	2.67	
<p>Note 1: Rates apply only in connection with animals weighing 900 pounds or more. The provisions of Item 270 shall apply for animals weighing less than 900 pounds.</p> <p>Note 2: Scale A rates shall be the minimum per shipment charge.</p> <p>Note 3: On shipment of more than one animal the Scale A charge shall apply for the first head. Rates in Scale B shall apply to each subsequent head.</p> <p>Note 4: Not subject to the provisions of Items 140 and 150.</p>							
◦ Increase, Decision No. 87 10 012							
EFFECTIVE 10-31-87							
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA-							
Correction							

Conclusions of Law

MRT 3-A should be amended to conform to the tariff pages set out in Appendix A.

ORDER

IT IS ORDERED that:

1. Minimum Rate Tariff 3-A (Appendix A to Decision 55587, as amended) is further amended by incorporating effective 5 days after the effective date of this order, the revised pages included in Appendix A.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision 55587, as amended, are directed to establish in their tariffs the changes necessary to conform with the further adjustments ordered by this decision.

3. Tariff publications required to be made by common carriers as a result of this order shall be filed not earlier than the effective date of this order and made effective five days after the date of this order, on not less than five days' notice to the Commission and to the public.

4. Common carriers, in establishing and maintaining the rates authorized by this order, are authorized to depart from the provisions of PU Code Section 461.5 to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are modified only to the extent necessary to comply with the order; and schedules containing the rates 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 55587, as amended, shall remain in full force and effect.

6. The Executive Director shall serve a copy of this decision on every common carrier, or such carriers' authorized tariff publishing agents, performing transportation services subject to Minimum Rate Tariff 3-A.

7. The Executive Director shall serve a copy of the tariff amendment on each subscriber to Minimum Rate Tariff 3-A.

This order becomes effective 30 days from today.

Dated OCT 16 1987, at San Francisco, California.

STANLEY W. HULETT
President
DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
Commissioners

Commissioner John B. Ohanian, being necessarily absent, did not participate.