

ORIGINAL

Decision No. 87358

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. 947  
(Filed February 2, 1977)

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 (CTA) seeks to have MRT 2 amended by establishing therein a reduced truckload exception rating for the transportation of straight shipments of cement, clay, concrete or earthen sewer pipe and fittings.<sup>1</sup>

Petitioner states that straight shipments are in themselves less costly to handle than mixed shipments of different commodities, and the power loading and unloading of straight shipments without carrier involvement, as proposed, provides further savings to carriers. Petitioner avers the Commission has, by its Decision 79952, recognized the sound transportation economies involved in sharing the savings experienced by joint efforts of shippers and carriers. Petitioner submits that its proposal demonstrates such economies.

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<sup>1</sup> The present truckload classification rating and the proposed truckload exception rating for cement, clay, concrete or earthen sewer pipe are respectively Class 35, minimum weight 36,000 pounds and Class 35.4, minimum weight 45,000 pounds. Petitioner's proposal is set forth in detail in Exhibit A attached to the petition.

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Copies of the petition were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about February 1, 1977. The petition was listed on the Commission's Daily Calendar of February 3, 1977. 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. A public hearing is not necessary. The Commission concludes that the petition should be granted as set forth in the ensuing order and the effective date of this order should be the date hereof because there is an immediate need for this rate relief.

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 May 28, 1977, Second Revised Page 5-B, Fifty-first Revised Page 8 and Original Page 38-E, 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 may be made effective not earlier than May 28, 1977, 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 rating authorized hereinabove, are hereby authorized to depart from

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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 rating 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 is the date hereof.

Dated at San Francisco, California, this 17th  
day of MAY, 1977.

Robert B. Bernard  
President  
William Lyons, Jr.  
Lynn L. Sturgeon  
John D. Hoyle  
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           |
|---|---------------|--|----------------|
| Parina  | 652-654,      | Forms (M)  | 395-397        |
| Paucets   | 365           | Frames, circular (iron or steel)   | 760, 764, 765  |
| Food as described under the heading of "Feed Group" in the Governing Classification, not frozen | 652-654,      | Fruit (not dried, evaporated nor fresh)  | 320            |
| Feed, Animal  | 338, 620, 630 | Fruit, candied, crystallized, glazed or stuffed  | 360            |
| Feed, Animal or Poultry   | 652-654,      | Fruit, crushed   | 320            |
| Felt or Paper   | 761, 767      | Fruits, dried or evaporated  | 350            |
| Felt or Paper, asbestos   | 761, 767      | Fruits, frozen   | 351            |
| Fencing   | 760, 764, 765 | Fruit Juice Powders or Crystals, Citrus  | 360            |
| Figs, powdered  | 350           | Fruit Peel, candied, crystallized, glazed or stuffed   | 360            |
| Fish (animal feed)  | 338           | Fruit Syrups   | 360            |
| Fish, cooked, pickled or preserved  | 320, 345      | Fuel, Wood   | 729            |
| Fish, fresh, frozen   | 775           | Games  | 355            |
| Fish Loins, frozen  | 775           | Games (M)  | 395-397        |
| Fish, other than fresh or frozen  | 360           | Gardening or Landscaping Products  | 370            |
| Fish Roe  | 320           | Garlic Chips; Garlic Powder  | 320            |
| Fittings, Pipe (iron or steel)  | 365, 378, 760 | Gas, petroleum liquefied   | 377.5, 723-726 |
| *Fittings, pipe, sewer (cement, clay, concrete or earthen)                                      | 764, 765      | Gases, Compressed (M)  | 325            |
| Flavoring Compounds   | 379.2         | **   |                |
| Flour, Bean   | 360           | Gelatine   | 360            |
| Flour, cooked   | 652-654,      | **   |                |
| Flour, edible   | 339           | Germ, wheat  | 652-654,       |
| Flour, gelatinized  | 360           | Girders, reinforced concrete   | 318            |
| Flour, Grain  | 339           | Girders, iron or steel   | 760, 764, 765  |
| Flour, Potato   | 339, 652-654, | Glassware, NOI (M)   | 395-397        |
| Flour, prepared, edible   | 339, 652-654, | Glucose  | 360            |
| Flour, Rice   | 339, 652-654, | Glycols (M)  | 325            |
| Flour, Soybean  | 339           | Grain Products as described under the heading "Grain Products" in the Governing Classification | 652-654,       |
| Flour, Tapioca  | 652-654,      | Grape Stakes   | 685            |
| Flues, Boiler   | 365           | Grate Bars, iron or steel  | 365            |
| Fondant, Candy  | 360           | Grit, processed from rock or shell   | 652-654,       |
| Food, Baby  | 320           | Groceries and Grocers' Supplies  | 360            |
| Food, Cereal  | 360           | Guides, elevator (iron or steel)   | 760, 764, 765  |
| Food, Milk, other than malted, liquid   | 320           | Gum, Chewing   | 360            |
| Food, prepared  | 360           |  |                |
| Food Preparations, Cereal (M)   | 360           |  |                |
| Foodstuffs for human consumption  | 345, 620, 630 |  |                |
| Forging, rough (iron or steel)  | 760, 764, 765 |  |                |

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

✓ Change )  
 \* Addition ) Decision No. **87358**  
 \*\* Eliminated )

EFFECTIVE

Correction

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

INDEX OF COMMODITIES (Continued)

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| COMMODITY   | ITEM                                   | COMMODITY  | ITEM           |
|---|--|--|----------------|
| Pickles   | 320-1                                  | Preservatives, wood (M)  | 377.5,723-726  |
| Pie Mix, Pizza  | 345                                    | Preserves  | 320            |
| Pie Preparations  | 320-1                                  | Proprietary Anti-Freeze<br>or Engine Coolant<br>Preparations (M) | 325            |
| Pig Iron  | 760, 764, 765                          | Proprietary De-Icing<br>Preparations (M)                         | 325            |
| Piling  | 318, 690, 691<br>710, 760, 764,<br>765 | Propyl Acetate (M)   | 325            |
| Pimenton  | 320-1                                  | Propylene Dichloride (M)   | 325            |
| Pipe  | 330,760,764,765                        | Propylene Oxide (M)  | 325            |
| Pipe, cast iron pressure                                | 378                                    | Prunes, powdered   | 350            |
| Pipe, cast iron soil                                    | 378                                    | Puddings   | 320-1          |
| Pipe, concrete, reinforced                              | 378.3                                  | Pulls, door or drawer, metal                                     | 362            |
| Pipe, iron or steel, cast or<br>wrought, plate or sheet | 365                                    | Pulleys, tank or reservoir                                       | 760,764,765    |
| Pipe, iron or steel, well<br>casing or drilling         | 365                                    | Pulp, Fruit or Vegetable<br>**                                   | 320,320-1      |
| *Pipe, sewer ( cement, clay,<br>concrete or earthen)    | 379.2                                  | Purée, Tomato  | 320-1          |
| Pitch (M)   | 762,767                                | Rags   | 765            |
| Pizza Pie Mix   | 345                                    | Railings, bridge   | 760,764,765    |
| Plaster Boards (M)                                      | 762,767                                | Rails  | 760,764,765    |
| Plastic Materials other<br>than expanded, group (M)     | 325                                    | Ravioli (prepared)   | 320-1          |
| Plates, iron or steel                                   | 365,760,764,765                        | Refrigerants or Dis-<br>persant or Refrigerant<br>Gases (M)      | 325            |
| Plates, fish  | 760,764,765                            | Repellents, insect (M)   | 377.5, 723-726 |
| Plates, plastic or rubber (M)                           | 362                                    | Rice-and-Milk  | 320-1          |
| Plywood   | 690,710                                | Rice, Brewers'   | 652-654½       |
| Polas, wooden   | 690,691,710                            | Rice, Cleaned  | 652-654½       |
| Polas, electric light                                   | 378.5                                  | Rice, dry, and other ingre-<br>dients                            | 345,360.5      |
| Polish, boat, floor, furni-<br>ture or vehicle          | 730-732                                | Rice, Paddy  | 652-654½       |
| Polish, floor (M)                                       | 377.5,723-726                          | Rivets   | 760,764,765    |
| Polish, furniture (M)                                   | 377.5,723-726                          | Rods, iron or steel<br>**  | 760,764,765    |
| Polish, metal (M)                                       | 377.5,723-726                          | Rods, Sucker   | 365            |
| Polish, vehicle (M)                                     | 377.5,723-726                          | Rolls, or Holders, silver-<br>ware, or toilet article (M)        | 395-397        |
| Pomace  | ø652½-654½                             | Roofing, building or<br>paving material                          | 761,767        |
| Popcorn, not popped                                     | 360.5                                  | Roofing, composition or<br>prepared                              | 761,767        |
| Popped Corn (M)   | 360.5                                  | **   |                |
| Porter  | 310,360                                | **   |                |
| Posts   | 690,691,710                            | Sago   | 360.5          |
| Potatoes, cooked and pow-<br>dered, other than frozen   | ø360.5                                 | Seals (M)  | 395-397        |
| Potatoes, processed, cooked<br>and powdered             | 320-1                                  |  |                |
| Potato Chips (M)  | 360.5                                  |  |                |
| Poultry and poultry parts                               | 379                                    |  |                |
| Poultry Litter (M)                                      | 652-654½                               |  |                |
| Powder, Baking  | 360.5                                  |  |                |
| Powder, sachet or toilet (M)                            | 395-397                                |  |                |
| Powders, Citrus Fruit Juice                             | 360                                    |  |                |
| Powder, Yeast   | 360.5                                  |  |                |
| **  |  |  |                |

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

ø Change )  
 \* Addition ) Decision No.  
 \*\* Eliminated )

87358

EFFECTIVE

Correction

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

| SECTION 1--RULES OF GENERAL APPLICATION (Continued)   |  | ITEM  |
|---|--|---|
| <p style="text-align: center;">EXCEPTIONS TO GOVERNING CLASSIFICATION AND<br/>EXCEPTION RATINGS TARIFF (Continued)</p> <p>(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.)</p>   |  | Class Rating  |
| <p>Pipe, sewer, or Sewer Pipe Fittings, cement, clay, concrete or earthen, not reinforced, with or without rubber joints (Item 50620).</p> <p>TRUCKLOAD:<br/>Minimum Weight 45,000 pounds.....<br/>(Subject to Notes 1 through 6)</p> <p>NOTE 1.--Will not apply on mixed shipments.</p> <p>NOTE 2.--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.</p> <p style="padding-left: 40px;">"The agreed or declared value of the property is hereby stated by the shipper to be one-half of actual value or 50 cents per pound, per article, whichever is less."</p> <p>If the shipper fails or declines to declare such value in writing, the provisions of this item will not apply.</p> <p>NOTE 3.--If more than one unit of carrier's equipment is used for the transportation of a single shipment, each such vehicle or combination of vehicles shall be subject to the minimum weight named in this item.</p> <p>NOTE 4.--Applicable only when power loaded and power unloaded without carrier assistance.</p> <p>NOTE 5.--An allowance of one hour free time for loading and one hour free time for unloading shall be made for each unit of carrier's equipment used.</p> <p>The free time shall be computed from the time of arrival of carrier's equipment at the place of loading or unloading until loading or unloading is completed and equipment is released. Excess loading or unloading time shall be charged for at the rates provided in Item 145.</p> <p>NOTE 6.--Provisions of this item may not be applied in connection with services performed in accordance with the following items of this tariff:</p> <ul style="list-style-type: none"> <li>Item 128 - Charges for Permit Shipment</li> <li>Items 160-163 - Split Pickup</li> <li>Items 170-173 - Split Delivery</li> <li>Items 176-179-2 - Pool Shipments</li> <li>Item 181-1 - Special Collect on Delivery (C.O.D.) Service</li> <li>Item 182 - Collect on Delivery (C.O.D.) Shipments</li> <li>Item 183 - Multiple Service Shipment</li> <li>Item 202 - Volume Incentive Service</li> <li>Items 203-203.1 - Special Volume Incentive Service</li> <li>Item 203.2 - Premium Volume Incentive Service</li> </ul> |  | <p>35.4</p> <p style="text-align: right;">*00<br/>379.2</p> |
| <p>• Addition )<br/>◊ Increase ) Decision No. <b>87358</b><br/>◊ Reduction )</p>  |  |   |
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| Correction  |  |   |