

88071 NOV 1 1977

ORIGINAL

Decision No. _____

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. 990
(Filed September 16, 1977)

And Related Matters)

Case No. 7858
Petition for Modification
No. 228
(Filed September 16, 1977)

OPINION AND ORDER

Exception Ratings Tariff 1 (ERT 1) contains various exception ratings which apply in lieu of those named in National Motor Freight Classification NMF 100-D and govern various minimum rate tariffs making specific reference thereto.¹

By the above petitions, California Trucking Association seeks to amend Item 1850 by adding to it commodities described as Collators (as an integral part or an attachment to a Copying, Duplicating or Reproducing machine) and by inserting therein Note 4 with a statement allowing for the inclusion of Machinery, Equipment, Parts, Accessories and Supplies when they do not exceed ten percent of the total weight.

Petitioner states that it is an industry practice to include with shipments of reproducing machines additional equipment, parts, accessories and supplies as are necessary to the performance of a complete reproducing process. Such additional equipment must be packaged in accordance with the rules provided in the National Motor Freight Classification; otherwise, it would be subject to the penalty

¹ Minimum Rate Tariffs 1-B, 2, 9-B and 19.

set forth in Item 423 of said classification. Moreover, the aforementioned equipment, parts, accessories and supplies are generally shipped at full value while the commodities described in Item 1850 of ERT 1 are shipped pursuant to a released valuation of 50 cents per pound. This difference has created many problems for both the shippers and carriers.

The petitions were listed on the Commission's Daily Calendar of September 20, 1977. No objection to the granting of the petitions has been received.

In the circumstances, the Commission finds that petitioner's proposals are reasonable and justified to the extent hereinafter indicated. A public hearing is not necessary. The Commission concludes that the petitions should be granted as set forth in the ensuing order.

IT IS ORDERED that:

1. Exemption Ratings Tariff 1 (Appendix A to Decision 66195, as amended) is further amended by incorporating therein to become effective twenty-five days after the date hereof, Forty-first Revised Page 3 and Fifth Revised Page 27-WWWW 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 66195, 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 this order 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, 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 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 66195, 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 1st
day of NOVEMBER, 1977.

I abstain
Robert Behrman

William Symons Jr. President
Terrence L. Sturgeon
Richard P. Gervalle
Claire T. DeBrink Commissioners

EXCEPTION RATINGS TARIFF 1

INDEX OF COMMODITIES			
COMMODITIES	ITEM	COMMODITIES	ITEM
Acids	1200	Logs, compressed sawdust	600
Articles as described in the Governing Classification	1030-1050.	Machine, Business or Office: Accounting Cards, *Adding or Computing, *Typewriters and computing combined	1650
Blankets	1800	Machines, Copying, *Collators Duplicating or Reproducing	1850
Blankets	1800	Pads, sanitary	755
Carriers, used packages	320,321,340	Recorder, tape	1850
Cartons, egg, pulp	270	Salt common (Sodium Chloride)	880
Chemicals	1320	Sets, expendable, aspirat- ing, administration or transference	1830
Confectionery	480	Sheeting, plastic	490
Compounds, tree or weed killing	460	Shipments, returned	820
Dental or Hospital Supplies	1830	Sod, chopped or not chopped	860
Explosives, propellant	1835	Strontium Nitrate	870
Explosives, Propelling Units	1835	Sugar	940
Fertilizers	540,560,580	Wood, Fuel	600
Filler Flats, Egg	450		
Case or Egg Carrier	490		
Film, plastic	592		
Flowers, fresh, cut	600		
Kindling, fire, wood	1830		
Kits, hospital patient	1830		
Kits, inpatient treatment	1830		

Change)
 Addition) Decision No.

88071

EFFECTIVE

Correction

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

EXCEPTION RATINGS TARIFF 1

SECTION 2-D--PROVISIONS WHICH ARE EXCEPTIONS TO THE GC	ITEM
<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>	
<p>ARTICLES</p>	
<p>MACHINES:</p> <p>Business or office, viz: Accounting Card (115740) Adding or Computing (115760) Typewriters and Computing combined (116270)</p> <p>∅ Copying, Duplicating or Reproducing, NOI (116250) *(See Note 4) *∅ Collators (as an integral part or an attachment to a Copying, Duplicating or Reproducing machine) (113300)</p> <p>ELECTRICAL EQUIPMENT: Tape Recorders (62860), minimum weight 500 pounds for each complete unit.</p> <p>Commodities referred to herein may be shipped loose subject to provisions of Notes 1, 2 and 3.</p> <p>NOTE 1.--The provisions of this item apply only in connection with transportation performed in a van-type vehicle commonly used for the transportation of household goods or electronic equipment and normally equipped with pads, covers, dividers and other protective materials, tie-downs and dollies necessary for such transportation.</p> <p>∅ NOTE 2.--The provisions of this item apply only in connection with transportation of straight shipments of the commodities referred to herein, except** as provided in Note 4.</p> <p>NOTE 3.--The provisions of this item apply only in connection with shipments released to 50¢ per pound per article. The bill of lading issued for any shipment accepted for transportation at this rate shall have printed on the face thereof a statement reading as follows:</p> <p>"Unless a different value is declared, the shipper hereby releases the property to a value of 50¢ per pound per article."</p> <p>∅ NOTE 4.--Shipments of articles making reference to this note may include (not to exceed ten pounds in weight) repair kits, business or office copying, duplicating or reproducing machine (108030) and such machinery, equipment, parts, accessories and supplies as are necessary to the performance of a complete reproducing process when not exceeding ten percent of the total weight of the articles making reference to this note.</p>	<p>61850</p>
<p style="text-align: center;">PREPAYMENT OR GUARANTEE OF CHARGES</p> <p>Freight on which prepayment is required may, on approval of the originating carrier, be forwarded on a collect basis on the guarantee of shipper that all charges will be paid. Notation must be made on shipping order and bill of lading that shipper guarantees charges.</p>	<p>1853</p>
<p>∅ Change) * Addition) ∅ Reduction) Decision No. 88071 ** Eliminated)</p>	
<p>EFFECTIVE</p>	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	