

Decision No. 88451 JAN 31 1978

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 ) Case No. 5432  
 for transportation of any and all ) Petition for Modification No. 1011  
 commodities statewide including, ) (Filed January 11, 1978)  
 but not limited to, those rates )  
 which are provided in Minimum Rate )  
 Tariff 2 and the revisions or )  
 reissues thereof. )

OPINION AND ORDER

Minimum Rate Tariff (MRT 2) names minimum rates and rules for the statewide transportation of general commodities by highway carriers. By the above petition, California Trucking Association requests that the Commission extend, until January 31, 1979, the expiration date of Item 293.4 of MRT 2. According to petitioner MRT 2 includes Truckload Efficiency Service Rates and related provisions which were established on an experimental basis to enable a period of shipper and carrier use and exposure to the new concepts, prior to evaluating the need for further revision.

Petitioner points out that the provisions have worked well and have been mutually beneficial and other modifications may be desirable so additional time is needed to formalize these and other modifications. Relief from the long- and short-haul provisions of Section 461.5 of the Public Utilities Code is also sought.

Copies of the petitions were mailed to various chambers of commerce, shipper organizations and carrier representatives on or about January 10, 1978. The petition was listed on the Commission's Daily Calendar of January 13, 1978. 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 minimum 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 February 1, 1978, First Revised Page 29-A-7, First Revised Page 29-A-8, First Revised Page 29-A-9, and First Revised Page 29-A-10 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 also to Decision 31606, as amended, are authorized to establish in their tariffs the amendments necessary to conform with the further adjustments ordered by this decision.

3. Tariff publications authorized to be made by common carriers as a result of this order may be made effective not earlier than February 1, 1978 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 amendments authorized by this order, are 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.

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 Diego, California, this 31st day of January, 1978.

Robert Balazain

President

William Squier Jr.

Robert D. Sturgeon

Claire T. Debrin

Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

MINIMUM RATE TARIFF 2

SECTION 1-- RULES OF GENERAL APPLICATION (Continued)	ITEM.
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF	
<p style="text-align: center;">TRUCKLOAD EFFICIENCY SERVICE APPLICATION OF RATES</p> <p>Charges applicable in connection with shipments transported under provisions hereof must be fully paid by the consignor, subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. The provisions of this item apply only when the bill of lading is annotated by the shipper with the words:  "TRUCKLOAD EFFICIENCY SERVICE REQUESTED"  By such request the shipper agrees to the requirements of this item as a pre-requisite to application of the provisions hereof.</li> <li>2. The shipment must be loaded with power equipment, transported and unloaded with power equipment from the same single unit of carrier's equipment.</li> <li>3. An allowance of one and one-half (1½) hours free time for loading and one and one-half (1½) hours free time for unloading shall be made in connection with each unit of carrier's equipment used. Excess loading or unloading time will be charged for at rates named in Item 145 of this tariff. Time shall be computed from actual or shipper-designated time of arrival of carrier's equipment at place of loading or unloading, whichever is later, until loading or unloading is completed and carrier's equipment is released. For purposes of applying the provisions of this item, "place of loading or unloading" means the particular street address or other designation of a factory, store, warehouse or place of business.</li> <li>4. Rates applicable in connection with shipments transported under provisions hereof include the services of a single carrier employee (driver) for each shipment. Physical assistance of this employee is restricted to work within or on carrier's equipment and does not include stacking, unstacking, removal or placement of merchandise on pallets. The carrier or his employee may not engage or pay for the services of helpers or other parties under any circumstances.</li> </ol> <p style="text-align: center;">(Continued on following page)</p>	
<p>§(E) Expires with January 31, 1973.</p>	
<p>                 § Change        )                  o Increase    ) Decision No.   <b>88451</b>                  o Reduction   )             </p>	<p>§(E) 293.4</p>
EFFECTIVE FEBRUARY 1, 1978	
<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 2

SECTION 1-- RULES OF GENERAL APPLICATION (Continued)	ITEM	
EXCEPTION TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF		
TRUCKLOAD EFFICIENCY SERVICE (Continued) APPLICATION OF RATES		
5. The carrier's maximum liability in connection with shipments transported under rates in this item shall be one-half (1/2) of actual value or 50 cents per pound, per article, whichever is less.		
6. Mixed shipments shall be charged for at the rate applicable to the highest rated commodity in the shipment.		
7. Rates in this item may not be used in combination with any other rates, except as authorized herein.		
8. Except as provided in individual items, rates in this item will not apply in connection with shipments accorded services provided in the following items:		
<ul style="list-style-type: none"> <li>a) 85</li> <li>b) 110</li> <li>c) 124</li> <li>d) 128</li> <li>e) 140</li> <li>f) 142</li> <li>g) 143</li> <li>h) 144</li> <li>i) 160-163</li> <li>j) 170-173</li> <li>k) 181-1</li> <li>l) 182</li> <li>m) 188</li> </ul>	<ul style="list-style-type: none"> <li>- Shipments Transported in Multiple Lots</li> <li>- Deductions</li> <li>- Escort Service</li> <li>- Permit Shipments</li> <li>- Accessorial Services</li> <li>- Delays to Equipment</li> <li>- Delays to Equipment on Whole Grain</li> <li>- Delays to Equipment on Lumber</li> <li>- Split Pickup</li> <li>- Split Delivery</li> <li>- Special C.O.D. Service</li> <li>- Collect on Delivery (C.O.D.) Shipments</li> <li>- Multiple Service Shipments</li> </ul>	<p>6(E) 293.4</p>
9. Applies with Item 293.3.		
10. The provisions of this item will not apply in connection with shipments transported in bulk. For purposes of applying the provisions of this item, BULK means in bins having a capacity of not less than 40 cubic feet but not in bags, sacks, packages or other containers.		
(Continued on following page)		
<p>600(E) Expires with January 31, 1979.</p> <p> <input type="checkbox"/> Change )  <input type="checkbox"/> Increase ) Decision No. <b>88451</b>  <input type="checkbox"/> Reduction )                 </p>		
EFFECTIVE FEBRUARY 1, 1978		
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

MINIMUM RATE TARIFF 2

SECTION 1--RULES OF GENERAL APPLICATION (Continued)							ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF							
TRUCKLOAD EFFICIENCY SERVICE (Continued) APPLICATION OF RATES							
11. The charge for service under the provisions of this item shall be determined by assessing the truckload rate applicable to the commodity or commodities in the shipment as follows:							
RATES IN CENTS PER 100 POUNDS							
MILES		MINIMUM WEIGHT 50,000 Pounds per each single unit of carrier's equipment utilized in transporting a shipment.					
		Truckload Class Rating, as provided in the Governing Classification, the Exception Ratings Tariff or this Tariff.					
Over	But Not Over	35 or Higher	35.1	35.2	35.3	35.4	
0	3	29½	26½	24	23½	23	§(E) 293.4
3	5	30½	27½	25	24½	24	
5	10	31½	28½	26	25½	25	
10	15	32½	30	27½	27	26	
15	20	34	31½	28½	28	27	
20	25	36	33	30	29	28	
25	30	37	34	31½	30	29	
30	35	38	35½	32½	31	30	
35	40	40	37	34	32	31	
40	45	41	38	35	33½	32	
45	50	43	39	36	34½	33	
50	60	45	41	38	36	35	
60	70	48	44	40	38	36	
70	80	50	46	43	40	37	
80	90	53	49	45	42	39	
(Concluded on following page)							
§(E) Expires with January 31, 1979. § Change ) ◊ Increase ) Decision No. <b>88451</b> ◊ Reduction )							
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SECTION 1--RULES OF GENERAL APPLICATION (Continued)							ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF							
TRUCKLOAD EFFICIENCY SERVICE (Concluded) APPLICATION OF RATES							
RATES IN CENTS PER 100 POUNDS							
MILES		MINIMUM WEIGHT 50,000 Pounds per each single unit of carrier's equipment utilized in transporting a shipment.					
But		Truckload Class Rating, as provided in the Governing Classification, the Exception Ratings Tariff on this Tariff.					
Over	Not Over	35 or Higher	35.1	35.2	35.3	35.4	
90	100	55	51	47	44	41	
100	110	58	53	49	46	43	
110	120	60	55	51	48	44	
120	130	63	58	53	49	46	
130	140	65	60	55	51	47	
140	150	68	62	57	53	49	
150	160	70	64	59	54	50	
160	170	72	66	60	56	52	
170	180	74	68	63	57	53	
180	190	76	70	64	59	55	
190	200	79	72	66	60	56	
200	220	83	76	70	64	59	
220	240	87	80	73	67	62	
240	260	90	83	76	70	64	6(E)
260	280	94	86	79	73	67	293.4
280	300	98	90	82	76	70	
300	325	102	94	86	79	73	
325	350	107	98	90	83	76	
350	375	111	102	94	86	79	
375	400	115	106	97	89	82	
400	425	119	110	101	92	85	
425	450	122	113	104	95	87	
450	475	126	116	107	98	90	
475	500	130	119	110	101	93	
500	525	133	122	113	103	95	
525	550	136	126	116	106	98	
550	575	140	129	118	108	100	
575	600	143	131	120	111	102	
600	625	146	133	122	113	104	
625	650	149	135	124	115	106	

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 o Increase ) Decision No. **88451**  
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