

ORIGINAL

Decision No. 88849 MAY 16 1978

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. 1017
(Filed April 11, 1978)

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 requests that the Commission extend until May 31, 1979, the expiration date of certain provisions on Test Permit Shipments of canned goods in Items 320 and 320-1.

According to petitioner MRT 2 prescribes the stretch wrap film method of packaging on canned goods which was established on an experimental basis to enable a period of shipper and carrier use and exposure to the new form of packaging.

Under authority of Test Permit Shipment Number 774-36, issued by the National Classification Board, these provisions are being evaluated on a local and national level for possible inclusion in the National Motor Freight Classification.

Petitioner points out that the provisions have worked well and have been mutually beneficial although more time is needed to allow receipt of additional reports concerning the effectiveness of this new type of packaging.

The petition was listed on the Commission's Daily Calendar of April 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 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.

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 June 1, 1978 Twelfth Revised Page 30-C and Eighteenth Revised Page 31, 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 adjustment 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 June 1, 1978, 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 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 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.

C. 5432, Pet. 1017 - DLL

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 16th day
of MAY, 1978.

Robert Bateman

President

William Sproun, Jr.

Thomas L. Thompson

Robert W. Smith

Clare J. Dredel

Commissioners

MINIMUM RATE TARIFF 2

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM
<p>EXCEPTIONS TO GOVERNING CLASSIFICATION AND 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>CANNED GOODS (Items 320 and 320-1)</p> <p>CANNED GOODS in inner containers of earthenware, glass, molded plastic, hermetically-sealed fibreboard, or metal cans, in outer containers, viz.: boxes, fibreboard boxes or crates; or in metal cans in metal strapped bundles; or in hermetically-sealed metal cans on pallets with each palletized unit encased by four wraps of one mil plastic stretch film (See Note); or in bulk in the following containers: barrels, hogs-heads, pipes, puncheons, tierces, caaks, drums, half-barrels, quarter-barrels, sixth-barrels, eighth-barrels or kegs; viz.:</p> <p>Breads (72200) Brine (74720) Broths, chowders and soups (73180 or 74820) Buttermilk (73920) Chili, ground (170820) Egg Yolk (55580) Fish, cooked, pickled or preserved, with or without vegetable ingredients (72930, 72950, 72970 or 73200) Fish Roe (72300 or 73000) Food, baby (73160) Fruit, Fruit Butter, Crushed Fruit, Fruit Pulp (73240) Fruit Drink, consisting of concentrated fruit juice, water and fruit derivatives, not carbonated (72160) Garlic or Onion, powdered or chips (77160) Gelatin, other than dry, gelled (73200) Gravy (73400) Honey (73460) Jams, Jellies or Preserves (73240 or 73500) Juice, clam (72480) Juice, fruit (72440, 73540, 73550, 73570, 73590, 73600, 73620, 73630, 73650 or 73670) Juice, vegetable (73690, 74720 or 75322) Macaroni, Noodles, Spaghetti or Vermicelli, prepared (73740) Meats (134620, 134640, 134660 or 134680) Milk Beverage, liquid, flavored (73970) Milk, condensed, evaporated or sterilized (72740, 73920) Milk Food, other than malted, liquids (74020) Mince Meat (74050)</p> <p>Less truckload-----</p>		<p>8320</p> <p>50.1</p>
<p>(E) NOTE.--Applicable only when a Test Permit Shipment has been issued by the National Classification Board authorizing the stretch wrap film method of packaging.</p> <p>(Continued in Item 320-1)</p>		
<p>800 (E) Expires with May 31, 1979.</p> <p>o Change) o Increase) Decision No. 88849 o Reduction)</p>		
<p>EFFECTIVE JUNE 1, 1978</p>		
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>		
<p>Correction</p>		

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p>EXCEPTIONS TO GOVERNING CLASSIFICATION AND 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>	<p>Class Rating</p>
<p>CANNED GOODS (Concluded) (Items 320 and 320-1)</p> <p>CANNED GOODS in inner containers of earthenware, glass, molded plastic hermetically-sealed fibreboard, or metal cans, in outer containers, viz.: boxes, fibreboard boxes or crates; or in metal cans in metal strapped bundles; or in hermetically-sealed metal cans on pallets with each palletized unit encased by four wraps of one mil plastic stretch film (See Note); or in bulk in the following containers: barrels, hogheads, pipes, puncheons, tierces, casks, drums, half-barrels, quarter-barrels, sixth-barrels, eighth-barrels or kegs; viz.:</p> <p>Molasses (74090 or 74110) Mushrooms (74130) Oil, cooking or salad (144800 or 145100) Oil, olive (145190) Olives (74180) Peanut Butter, Peanut Paste, or Peanut Spread (74220) Pectin (74240) Pickles (74300) Pie Preparation (fruit in syrup or in paste form compounded with flour or sugar and flavored) (73240) Potatoes, cooked and powdered (74450) Puddings (74520) Ravioli (prepared), with or without cheese, meat or vegetable ingredients (73200) Rice-and-milk, cooked (73200) Salads, fish, macaroni, meat or vegetable (74640) Sandwich Spreads (74680) Sauces, basic food, such as marinara, pizza, spaghetti or Spanish sauce, other than dry (74710) Sausage (134780 or 134800) Sausage Casings (172480) Soybean Milk Compound (74840) Syrups (74110, 75120, 75140, 75150, 75170 or 75180) Table Sauces, Catsup, Salad Dressing, Mayonnaise, Prepared Horseradish, Prepared Mustard and Pepper Sauce (74710) Vegetables and commodities (74720, 75320 or 75322) Vinegar (75360) Walsh Rarebit (75420) Wine, cooking, flavoring or seasoning (salted or sugared) (75430)</p> <p>Less truckload-----</p> <p>(E)NOTE.--Applicable only when a Test Permit Shipment has been issued by the National Classification Board authorizing the stretch wrap film method of packaging.</p>	<p>50.1</p> <p>§320-1</p>
<p>600(E) Expires with May 31, 1979.</p> <p>o Change) o Increase) Decision No. 88849 o Reduction)</p>	
<p>EFFECTIVE JUNE 1, 1978</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	