

**ORIGINAL**Decision No. 83962 JUN 13 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. 1018  
 (Filed April 12, 1978)

OPINION AND ORDER

By Petition 1018, California Trucking Association respectfully seeks to include textile softeners as described in Item 176963 of the governing classification in the list of named commodities in Item 267 of Minimum Rate Tariff 2 (MRT 2). Item 267 provides a list of commodities which receive a rate reduction when transported on pallets under certain conditions.

Petitioner states that carrier and shipper experience gained from shipments transported under Item 267 has established the need for this textile softener as an analogous commodity that should be included within the item. The addition will enhance further use of this item to the benefit of carriers and shippers alike. The addition is consistent with the Commission's intention when the item was established by Decision 87572, dated July 12, 1977 (Case 5432, Pet. 956).

The petition was listed on the Commission's Daily Calendar of April 14, 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.

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 thirty-nine days after the date hereof, Second Revised Page 27-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 also to Decision 31606, as amended, are authorized to establish in their tariffs the amendment 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 thirty-nine days after the date hereof 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 page incorporated in this order.
4. Common carriers, in establishing and maintaining the amendment 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 amendment 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. 1018) - FS

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 13th day of JUNE, 1978.

Robert Bahning

President

William Synov Jr.

Vernon L. Steyer

Charles D. Howell

Clair T. DeWick

Commissioners

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM														
<p>PALLET EXCHANGE PROVISIONS                      (Subject to Notes 1 through 14)</p>															
<p>☞ <u>Commodities</u> - Cleaning, scouring, washing compounds, soap, soap products, etc. (48580, 48581)                      Coffee, roasted, ground, extract (72600, 72680)                      Flour, prepared, edible (cake and muffin mix) (73030, 73060, 73080, 73100, 73120, 73140)                      Oil, cooking or salad, NOI (144800)                      Peanut Butter or Peanut Spread (74220)                      Potato Chips in hermetically sealed cans (74480, Sub 1)                      Softeners, textile (176960)                      *Softeners, fabric or textile, contained or impregnated in cloth, paper or foam, cellular or expanded sheets, (176963) in mixed truckload shipments with articles named in Items 48580 and 48581; when the weight of such softeners does not exceed 25 percent of the weight of the articles named in Items 48580 and 48581.                      Vegetable Oil Shortening (134530)</p> <p>Truckload, minimum weight 40,000 pounds per unit of carrier's equipment, but in no event less than the highest minimum weight applicable in connection with any rate used in computing charges.</p> <p>NOTE 1.--The provisions of this item apply only in connection with straight or mixed shipments of commodities named in this item.</p> <p>NOTE 2.--Rates applicable in connection with shipments transported under provisions hereof shall be those named in Items 508.1, 508.2, 730 or 731 of this tariff, less the amounts indicated by the following table:</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">Constructive Miles</th> <th rowspan="2" style="text-align: center;">Reduction in Cents per 100 Pounds</th> </tr> <tr> <th style="text-align: center;">Over</th> <th style="text-align: center;">But Not Over</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0</td> <td style="text-align: center;">70</td> <td style="text-align: center;">5</td> </tr> <tr> <td style="text-align: center;">70</td> <td style="text-align: center;">260</td> <td style="text-align: center;">7</td> </tr> <tr> <td style="text-align: center;">260</td> <td style="text-align: center;">-</td> <td style="text-align: center;">12</td> </tr> </tbody> </table> <p>In determining the rate in Items 508.1, 508.2, 730 or 731, the provisions of Item 292, 293, 293.1 and 293.2 are not applicable.</p> <p>NOTE 3.--Rates applicable in connection with shipments transported under provisions hereof include the services of a single carrier employee (driver) for each shipment. The carrier or his employee may not engage or pay for the services of helpers or other parties under any circumstances.</p> <p>NOTE 4.--Rates applicable in connection with shipments transported under provisions hereof may not be made in combination with any other rates.</p> <p>NOTE 5.--A maximum of two component parts shall be permitted in connection with split delivery or multiple service shipments. Charges named in Item 173 will apply for such service.</p> <p>NOTE 6.--The provisions of Item 430 of the Governing Classification and the following provisions of this tariff may not be applied in connection with shipments transported under provisions hereof:</p> <ul style="list-style-type: none"> <li>Item 85 - Multiple Lot Shipments</li> <li>Items 181-1 and 182 - Collect On Delivery (C.O.D.)</li> <li>Items 293 and 293-1 - Special Volume Incentive Service</li> </ul> <p style="text-align: center;">(Continued)</p>		Constructive Miles		Reduction in Cents per 100 Pounds	Over	But Not Over	0	70	5	70	260	7	260	-	12
Constructive Miles		Reduction in Cents per 100 Pounds													
Over	But Not Over														
0	70	5													
70	260	7													
260	-	12													
<p>☞ Change )                      * Addition )</p>	<p>Decision No. <b>88962</b></p>														
EFFECTIVE															
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.														