

Decision No. 89377 SEP 6 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 for the)
transportation of any and all com-)
modities 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. 1020
(Filed April 26, 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 Petition 1020, the California Trucking Association, respectfully, seeks to amend Item 188 of MRT 2. This item provides for multiple service shipments when the carrier is tendered 20,000 pounds or more of freight.

Petitioner declares that carriers have benefited when operating under the provisions established by this item. However, many of the carriers utilizing the item transport both refrigerated and general commodity traffic. These carriers believe the multiple service privileges should be extended to shippers who tender straight shipments of refrigerated cargo. The addition of this class of shipper to the multiple service provisions would benefit this group of shippers and would enhance the total application of the item.

The petition was listed on the Commission's Daily Calendar of April 27, 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 days after the effective date hereof, Fourth Revised Page 22-I 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 thirty 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 page 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. 1020 - FS

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

Dated at San Francisco, California, this 10th day of SEPTEMBER, 1978.

Robert Bateman

President

William J. Gerson

George L. Steyer

Robert D. Howell

Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">MULTIPLE SERVICE SHIPMENT</p> <p>1. Multiple service shipment privileges will be extended by the carrier, subject to the provisions of this item. In such circumstances, the shipment must be prepaid and must weigh (or transportation charges must be computed upon a weight of) 20,000 pounds or more.</p> <p>2. Except as provided in exception 3 of paragraph 5 and in paragraph 7, Items 160 through 173 will not apply in connection with shipments transported under provisions of this item.</p> <p>3. Application of the provisions of this item is subject to the following conditions:</p> <ul style="list-style-type: none"> (a) Not more than two component parts may be picked up by the carrier. Shipments may not include any component part delivered to carrier's established depot. (b) Each component part picked up must be received from the same consignor but not necessarily at the same place. (c) Points of origin of the pickup components shall not be more than 35 constructive miles apart. (d) Freight picked up at one point of origin shall not be unloaded or substituted at the other point of origin. (e) A maximum of ten delivery components will be allowed for each shipment. To the extent that individual rate or exception items make different provisions with respect to total numbers of allowed split delivery components, the more restrictive provisions shall apply. (f) At the time of or prior to the initial pickup of either component, a written document must be issued to the carrier by the consignor showing, for each component part to be picked up (pickup component) and for each component part to be delivered (delivery component), all of the information required to prepare a bill of lading in compliance with provisions of Item 360 of the governing classification. In addition, the consignor shall provide the carrier with a single document containing written information setting forth in summary, the total numbers and kind of packages, descriptions of articles, and total weight of all commodities described on the bills of lading for each delivery component. Said document shall also reflect total number of pieces and total weight of all commodities in the shipment and must make reference, by number or other individual identity, to each bill of lading issued for any component part of the shipment. (g) A bill of lading form may be utilized as the single document referred to in paragraph 3(f) above. However, such bill of lading will have no effect except to consolidate, for purposes of determining freight charges, information on the bills of lading covering each component part of the shipment. (h) In no case shall any single delivery component consist of commodities picked up at more than one origin. <p>4. The provisions of this item do not apply to:</p> <ul style="list-style-type: none"> (a) Shipments, including any component part thereof, moving under Collect on Delivery (C.O.D.) provisions; (b) Shipments, including any component part thereof, transported on Order Notify Bills of Lading; (c) Shipments, where only a portion of such shipment is provided Temperature Control Service; (d) Shipments transported under combinations with any other rates, nor (e) Shipments transported distances less than 100 constructive miles. <p style="text-align: center;">(Concluded on the following page)</p>	<p style="text-align: center;">#188</p>
<p> <input type="checkbox"/> Change) <input type="checkbox"/> Reduction) Decision No. S9377 </p>	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction