

SEP 6 1978

ORIGINAL

Decision No. 89378

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 5432
Petition for Modification
No. 1023
(Filed May 3, 1978)

OPINION AND ORDER

By Petition 1023, California Trucking Association respect-
fully seeks to include truckload efficiency rates in the items govern-
ing temperature control service. Temperature control service is
specifically set forth in Items 185 and 185-1 of Minimum Rate Tariff
2 (MRT 2). The truckload efficiency rates are set forth in Item 897
of MRT 2.

Petitioner states that carriers have found that truckload
efficiency rates established by Decision 86833, dated January 5, 1977,
have been beneficial to both shippers and carriers. Petitioner is
now requesting that the efficiencies and cost reductions resulting from
the provisions of these truckload efficiency rates be augmented by the
addition of straight truckload shipments of refrigerated commodities.

The addition of straight truckload shipments of refrigerated
commodities to MRT 2 would conform with the criteria established in
Decision 86833 for formulating the truckload efficiency rates. Peti-
tioner has restricted the proposal to straight truckload shipments of
refrigerated commodities to preclude the more costly and service-
intensive mixed general commodities and temperature control shipments.

The petition was listed on the Commission's Daily Calendar
of May 5, 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, Fifth Revised Page 22-B 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 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.

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5. In all other respects, Decision 31606, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 6th day
of SEPTEMBER, 1978.

Robert Bateman
President

William S. Jones Jr.

Yvonne L. Sturgeon

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>TEMPERATURE CONTROL SERVICE APPLICATION OF RATES (Concluded) (Applies to the transportation of all shipments accorded Temperature Control Service as defined in Item 185.) (Items 185 and 185-1)</p>												
<p>7. Temperature control service shall be subject to the following minimum charges (See Note):</p>												
<table border="0" style="width: 100%;"> <thead> <tr> <th rowspan="2" style="text-align: center;">Weight of Shipment</th> <th colspan="2" style="text-align: center;">Minimum Charges in Cents per Shipment</th> </tr> <tr> <th style="text-align: center;">Chilled Temperature Control Service</th> <th style="text-align: center;">Frozen Temperature Control Service</th> </tr> </thead> <tbody> <tr> <td>50 pounds or less-----</td> <td style="text-align: center;">54</td> <td style="text-align: center;">80</td> </tr> <tr> <td>More than 50 pounds-----</td> <td style="text-align: center;">80</td> <td style="text-align: center;">107</td> </tr> </tbody> </table>		Weight of Shipment	Minimum Charges in Cents per Shipment		Chilled Temperature Control Service	Frozen Temperature Control Service	50 pounds or less-----	54	80	More than 50 pounds-----	80	107
Weight of Shipment	Minimum Charges in Cents per Shipment											
	Chilled Temperature Control Service	Frozen Temperature Control Service										
50 pounds or less-----	54	80										
More than 50 pounds-----	80	107										
<p>NOTE.--The minimum charges provided herein shall be in addition to the minimum charges set forth in Items 150 and 530.</p>												
<p>8H. Rates for temperature control service shall be determined as follows:</p>												
<p>ø(a) Determine the applicable class or commodity rate or rates named in Section 2, 3 or *63A of this tariff or the applicable rate or rates named in *6Item 897 (See Note) of this tariff for the shipment in question, and</p>												
<p>(b) Increase the rate or rates so determined as follows:</p>												
<p>(1) Chilled Temperature Control Service: Find, under Column A of the conversion table in Item 187, 187-1, 187-2 and 187-3, the applicable class or commodity rate named in the tariff for the transportation involved (exclusive of the service of temperature control). The rate to be applied (inclusive of the service of temperature control) will be found opposite thereto under Column B.</p>												
<p>(2) Frozen Temperature Control Service: Find, under Column A of the conversion table in Items 187, 187-1, 187-2 and 187-3, the applicable class or commodity rate named in the tariff for the transportation involved (exclusive of the service of temperature control). The rate to be applied (inclusive of the service of temperature control) will be found opposite thereto under Column C.</p>												
<p>ø(c) Except as provided herein or in items making reference hereto, the provisions of paragraph (b) shall not apply to rates or charges provided in Section 1 of the tariff, nor to accessorial charges named in Section 2, 3 and *63A of the tariff; provided, however, the provisions of paragraph (b) shall apply to rates or charges determined under the provisions of *6Item 897 of this tariff.</p>												
<p>(d) On continuous through movements on which charges are obtained by the use of combinations of separately stated rates in this tariff, the rates shall be combined before increasing as provided in paragraph (b) hereof.</p>												
<p>* Note:--The rates named in Item 897 will apply only in connection with straight shipments of commodities requiring temperature control service. The shipment must also fully comply with all the requirements of Item 897. The rates in Item 897 shall not apply on shipments comprising a mixture of commodities requiring temperature control service and commodities not requiring temperature control service.</p>												
<p>ø Change) * Addition) Decision No. ø Reduction)</p>												
<p>EFFECTIVE</p>												
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>												

Correction