

Decision No. 89438 SEP 19 1978

**ORIGINAL**

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. 1030  
(Amended August 23, 1978)

OPINION AND ORDER

Minimum Rate Tariff 2 (MRT 2) names rates and rules for the statewide transportation of general commodities by highway carriers. By Petition 1030, the California Trucking Association (CTA) seeks to incorporate the transportation of truckload shipments of shelled, edible nuts in Section 3-A "Productivity Improvement Section" of MRT 2.

CTA in Case 5432, Petition for Modification 1001, proposed a new tariff section be incorporated in MRT 2. This section would be devoted to items which encourage carrier productivity and which have transportation circumstances contributing to cost savings. The overall impact of this section is the reduction in ratings enabling participating shippers to also achieve savings in transportation costs.

The instant CTA proposal meets the exception criteria previously established by the Commission in Decision 65639. The cost savings effect, which would be shared by both carrier and shipper, should encourage maximum utilization of transport equipment.

The petition and amendment were listed on the Commission's Daily Calendars of July 27 and August 23, 1978. No objection to the granting of the petition, as amended, 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, as amended, 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, Sixty-fourth Revised Page 7 and Original Page 66-N-21-A 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 effective 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 pages 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 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.

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

Dated at San Francisco, California, this 19th day of SEPTEMBER, 1978.

William J. Lyons President  
Vernon L. Sturgeon  
Robert D. Howell  
Clare T. DeWald Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity rate items or in Exceptions to the Governing Classification and Exception Ratings Tariff are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Milk	335.6,345,833	Oils, other than petro-	
Milk (condensed, evap-		leum, lubricating (M)	325,820
orated or sterilized)	320,335.7	Olives	320-1
Milk Food, other than		Onion Chips	320
malted, liquid	320,335.7	Onion, Powdered	320
Milk, Malted	360.5	Outfits, insect	
Milk, Pasteurized	345	destroying (M)	377.5,723-726
Milk, Solids, dry	345	Outfits, Oil, Water or	
Milk, Sterilized	320,335.7,345	Gas Well	365, 720
Milk Substitutes	335.7,345		
Mince Meat	320	Packets (M)	395-397,880
Mineral Mixtures	652-6544	Pads	332
Mix, Pizza Pie	345	Pads (M)	395-397,880
Mixes, basic food sauce,		Paint, asphaltic (M)	377.5,723-726
or food dip, dry	360.5	Paint, Compounds (M)	325,820
Mixtures, Mineral	652-6544	Paint, liquid (M)	377.5,723-726
Molasses	320-1	Pallets	330.4
Molasses (M)	652-6544	Pamphlets (M)	395-397,880
Monethanolamine (M)	325,820	Paper	395, 765, 770
Monoglycerides of Fat-		Paper Bags (M)	395-397,880
forming Fatty Acids	335.5	Paper, Building, Roofing	
Moss	370,860	or Sheathing	379.4, 761,767
Mouthwash (M)	340,840	Paper, cash register	865
Mud or Compounds, well		Paper, computing machine	865
drilling	365	Paper, printing	865
Mulch, horticultural	370,860	Paper, Scrap or Waste	866
Mushrooms	320-1	Paper, Wrapping (M)	395-397,880
Mustard	360.5	Paperboard or Pulpboard	770
Mustard, prepared	320-1	Parts, Boiler (M)	365
		Paste, Confectionery	360
Nails	760, 764, 765	Paste, Icing	360
Noodles and Cheese	345	Paste, Tomato	320-1
Noodles, except canned	360.5	Paving Joints, expansion	761,767
Noodles, (prepared)	320	Peaches, powdered	350
Noodles, dry, and other		Peanut Butter	320-1
ingredients	345,360.5	Peanut Spread	320-1
Notions (M)	395-397,880	Peat	370,860
Nursery stock	843	Pectin, Fruit or Vegetable	320-1
Nut Meats	864	Peel, fruit, candied, crys-	
Nuts	760, 764, 765	tallized glazed or stuffed	360
*Nuts, edible, shelled	350, 360.5, 863.1	Peel, grapefruit, lemon or	
		orange, dried	350
Oil, Cooking	320-1,335.5	Pencils, lead (M)	395-397,880
Oil, Olive	320-1	Perfumery (M)	340,395-397,840,
Oil (other than			880
medicinal) (M)	377.5,723-726	Peroxide, hydrogen (M)	340,840
Oil, petroleum		Petroleum and Petroleum	
medicinal (M)	377.5,723-726	products as described	
Oil, Salad	320-1,335.5	in Governing Classification	377.5, 723-726

(M) Denotes articles on which application of rates is limited to mixed shipments.

\* Addition, Decision No.

89438

EFFECTIVE

Correction

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,  
 SAN FRANCISCO, CALIFORNIA.

SECTION 3-A--PRODUCTIVITY EXCEPTIONS (Continued)		ITEM
<p>PRODUCTIVITY 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>Nuts, edible, shelled, NOI (141760, Sub 1) (Nut Meats), dried, salted or sweetened, in bags, (X)barrels or boxes, subject to Notes C and I of Item 889, and Notes 1 through 6, herein.</p> <p>Truckload minimum weight:</p> <p>50,000 pounds per unit of carrier's equipment.....</p> <p>100,000 pounds per two (2) units of carrier's equipment.....</p> <p>NOTE 1.--Applicable only on straight shipments of the commodity named herein.</p> <p>NOTE 2.--Applicable only in connection with prepaid shipments released to one-half of actual value or 15 cents per pound, per article, whichever is less. Shipper shall enter the following statement on the bill of lading:</p> <p>"The agreed or declared value of the property is hereby stated by the shipper to be not exceeding one-half of of the actual value or 15 cents per pound, per article, whichever is less."</p> <p>If shipper fails or declines to declare such value in writing, the provisions of this item will not apply.</p> <p>NOTE 3.--When applied in connection with the provisions of Items 170 through 173 (Split Delivery), a maximum of 20 component parts will be allowed.</p> <p>NOTE 4.--Loading:</p> <p>(a) Free time shall be restricted to one and one-half (1½) hours for loading of a single unit of carrier's equipment.</p> <p>(b) Loading time shall be computed from the time of arrival of carrier's equipment at the place of loading until such loading is completed and carrier's equipment is released.</p> <p>(c) Excess loading time shall be charged for at the rates provided in Item 145 of this tariff.</p> <p>(d) The term PLACE of loading means a particular street address or other designation of a factory, store, warehouse, place of business, or the like.</p> <p>NOTE 5.--In the event forklift unloading must be performed by the carrier, the charges set forth in Item 260 shall be assessed.</p> <p>NOTE 6.--Not applicable in connection with the following items of this tariff:</p> <p>(a) Item 85.....Shipments Transported in Multiple Lots</p> <p>(b) Items 160-163.....Split Pickup</p> <p>(c) Items 185-185-1...Temperature Control Service</p> <p>(d) Item 181-1.....Special Collect on Delivery (C.O.D.) Service</p> <p>(e) Item 182.....Collect on Delivery (C.O.D.) Shipments</p> <p>(f) Item 188.....Multiple Service Shipments</p> <p>(g) Item 895.....Premium Volume Incentive Service</p> <p>(h) Item 897.....Truckload Efficiency Service</p>		<p>35.3</p> <p>35.4</p> <p>*0</p> <p>863.1</p>
<p>oo(E) Subject to expire</p> <p>- Addition )</p> <p>o Increase ) Decision No. <b>89438</b></p> <p>o Reduction )</p>		
<b>EFFECTIVE</b>		
Correction		ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.