

Decision No. 89439 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. 1031
(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 1031, the California Trucking Association (CTA) seeks to incorporate the transportation of truckload shipments of cleaned rice 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 August 1 and 24, 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, Fifty-seventh Revised Page 8 and Original Page 66-N-26-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.

C. 5432, Pet. 1031 - DLL/FS

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.

President
William J. ...

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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
Pickles	320-1	Powder, Baking	360.5
Pie Mix, Pizza	345	Powder, dental plate adhesive (M)	340,840
Pie Preparations	320-1	Powder, sachet or toilet (M)	395-397,880
Pies, prepared, frozen	351	Powders, Citrus Fruit Juice	360
Pig Iron	760,764,765	Powder, Yeast	360.5
Piling	695,710,760,764,765,813	Preservatives, wood (M)	377.5,723-726
Pillows	332	Preserves	320
Pimentos	320-1	Proprietary Anti-Freeze or Engine Coolant Preparations (M)	325,820
Pipe	330,760,764,765,825	Proprietary De-Icing Preparations (M)	325,820
Pipe, cast iron pressure	378,867	Propyl Acetate (M)	325,820
Pipe, cast iron soil	378,867	Propylene Dichloride (M)	325,820
Pipe, cement and asbestos fibre	824	Propylene Oxide (M)	325,820
Pipe, concrete, reinforced	378.3	Prunes, powdered	350
Pipe, iron or steel, cast or wrought, plate or sheet	365	Puddings	320-1
Pipe, iron or steel, well casing or drilling	365	Pulls, door or drawer, metal	362
Pipe, sewer (cement, clay, concrete or earthen)	869	Pulleys, tank or reservoir	760,764,765
Pitch	870	Pulp, Fruit or Vegetable	320,320-1
Pitch (M)	762,767	Pures, Tomato	320-1
Pizza Pie Mix	345	Rags	765
Plaster Boards (M)	762,767	Railings, bridge	760,764,765
Plastic Articles (M)	340,840	Rails	760,764,765
Plastic Materials other than expanded, group (M)	325,820	Ravioli (prepared)	320-1
Plates, iron or steel	365,760,764,765	Razor Blades (M)	340,840
Plates, fish	760,764,765	Razors, safety (M)	340,840
Plates, plastic or rubber (M)	362	Refrigerants or Dispersant or Refrigerant Cases (M)	325,820
Plywood	690, 691,710	Repellents, insect (M)	377.5, 723-726
Poles, wooden	695	Rice-and-Milk	320-1
Poles, electric light	378.5	Rice, Brewers'	652-6544
Polish, boat, floor, furniture or vehicle	730-732	*Rice, Cleaned	652-6544, 869.1
Polish, floor (M)	377.5,723-726	Rice, dry, and other ingredients	345,360.5
Polish, furniture (M)	377.5,723-726	Rice, Paddy	652-6544
Polish, metal (M)	377.5,723-726	Rivets	760,764,765
Polish, vehicle (M)	377.5,723-726	Rods, iron or steel	760,764,765
Pomace	6524-6544	Rods, Sucker	365
Popcorn, not popped	360.5	Rolls, or Holders, silver-ware, or toilet article (M)	395-397,880
Popped Corn (M)	360.5	Roofing, building or paving material	761,767,870
Porter	310,360,810	Roofing, composition or prepared	761,767,870
Posts	690,691,710	Roofing granules	870
Potatoes, cooked and powdered, other than frozen	360.5	Roofings	870
Potatoes, processed, cooked and powdered	320-1	Sago	360.5
Potato Chips (M)	360.5		
Poultry and poultry parts	379		
Poultry Litter (M)	652-6544		

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

* Addition, Decision No. **89439**

EFFECTIVE

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

Correction

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>Rice, cleaned, whole or broken (74560) in boxes or bags subject to Notes: B, C, H and I in Item 889.</p> <p>Truckload:</p> <p>Minimum weight per unit of carrier's equipment:</p> <p>50,000 pounds, subject to Notes 1 through 8.....</p> <p>NOTE 1.--Applicable only on prepaid shipments and then only when the shipper annotates the bill of lading with the words:</p> <p style="text-align: center;">"RICE EFFICIENCY RATES REQUESTED"</p> <p>By such request, the shipper agrees to the requirements of this item as a prerequisite to application of the provisions hereof.</p> <p>NOTE 2.--Applicable only on shipments transported 150 constructive miles or greater.</p> <p>NOTE 3.--Applicable only on straight shipments of the commodity named in this item.</p> <p>NOTE 4.--The carrier's maximum liability in connection with shipments transported under the rates in this item shall be one-half (1/2) of actual value or 50 cents per pound, per article, whichever is less.</p> <p>NOTE 5.--Loading and unloading:</p> <p>(a) The same single unit of carrier's equipment shall be used to pick up, transport and deliver the shipment.</p> <p>(b) Free time shall be restricted to one and one-half (1 1/2) hours for loading a single unit of carrier's equipment.</p> <p>(c) Shipper shall certify on the bill of lading that such shipment was loaded onto carrier's equipment with power equipment operated by personnel furnished by shipper. Consignee shall certify on carrier's delivery receipt that such shipment was unloaded with power equipment operated by personnel furnished by consignee.</p> <p>NOTE 6.--The provisions of this item will not apply in connection with shipments transported in bulk. For purposes of applying the provisions of this item, bulk means in bins having a capacity of not less than 40 cubic feet, but not in bags, sacks, packages or other containers.</p> <p>NOTE 7.--Split Delivery Shipments (Items 170-173) shall be limited to a maximum of 4 components, and each such component shall be charged for at the rate set forth in Paragraph 2 of Item 173 for a 10,000 pound component.</p> <p>NOTE 8.--Not applicable in connection with the following items of this tariff:</p> <p>(a) Item 181-1....Special Collect on delivery (C.O.D.) Service</p> <p>(b) Item 182Collect on Delivery (C.O.D.) Shipments</p> <p>(c) Item 895Premium Volume Incentive Service</p> <p>(d) Item 897Truckload Efficiency Service</p>		<p>85% of 35.3</p> <p>*6 869.1</p>
<p>* Addition) o Reduction) Decision No. 89439</p>		
EFFECTIVE		
<p>Correction</p>		<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>