

ORIGINAL

Decision No. 89487 OCT 3 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. 1032  
(Filed August 8, 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 this petition, the California Trucking Association (CTA) seeks to have MRT 2 amended by establishing therein exception ratings for the transportation of ice cream or dessert sauces or toppings.

CTA states that the proposal will result in lower ratings for the aforesaid commodities. Presently, the applicable less than truckload rating is class 60, while under the proposal it would be class 50.1. In truckload shipments, the present rating is class 40, at 36,000 pounds minimum weight while the proposal refers to the Full Service and Limited Service Canned Goods rates of Items 631 through 633 of MRT 2 for application.

Petitioner alleges that the transportation characteristics of ice cream or dessert sauces or toppings are similar to other commodities presently listed in the Canned Goods Commodity list. For example, the density of the proposed commodities average 53 pounds per cubic foot. In comparison, tomato paste is 47.9 pounds per cubic foot. Another characteristic of the commodities is that they are not perishable; hence they require no special protection or handling. The Commission is in receipt of a letter dated August 25, 1978, from

Smucker's, a major shipper, supporting CTA's proposal. The shipper enumerates at length the similarity of transportation characteristics of the commodities listed in the proposal to those commodities that it directly competes with in the market place.

The petition was listed on the Commission's Daily Calendar of August 9, 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, Fifty-eighth Revised Page 9, Twenty-second Revised Page 9-A and Nineteenth Revised Page 31, 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-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 pages 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

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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 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.

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

Dated at San Francisco, California, this 3rd  
day of OCTOBER, 1978.

Robert B. Quinn  
President  
William J. Lyons, Jr.  
Vernon L. Sturgeon  
Charles D. Hoyle  
Clair T. Davis  
Commissioners

MINIMUM RATE TARIFF 2

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
Salad Dressing Preparations, dry	360	Soap, Powder (M)	395-397,880
Salads (M)	335.7	Soap, powder	730-732
Salads, Fish, Macaroni, Meat or Vegetable	320-1,360.5	Soap, shaving (M)	340,395-397,880
Salt, common	380, 728.5	Sodium Hypochlorite Solution	730-732
Salt (M)	360.5	Softeners, textile	730-732
Salt, Bath (M)	395-397,880	Softeners, Water (M)	395-397,880
Sandwich Spreads	320-1,335.7,345	Soil	860
Sauces, pepper	320-1	Solids, Milk, Cream, Butter- milk or Dry Milk(M)	335.7
Sauces	320-1	Solvent (M)	377.5,723-726
Sauces, basic foods	320-1	Solvent, Drain pipe	730-732
Sauces, table	320-1	Soup Ingredients	360
Sausage	320-1	Soups	320
Sausage casings	320-1	Sour, laundry	730-732
Sawdust, Wood	370,729,860	Soybean Milk Compound	320-1
Sawmill Refuse	729	Spaghetti and Cheese	345
Screws	362	Spaghetti, except canned	360.5
Seals, gift (M)	395-397,880	Spaghetti (prepared)	320
Seed Envelopes (M)	395-397,880	Spaghetti, dry, and other ingredients	345,360.5
Seeds, sunflower,	348	Spices	360.5
Seeds as described under that heading in the Governing Classification	383,652-654, 680,690,710	Spreads, sandwich	320-1,345
Shakes	680,690,710	Stain, wood (M)	377.5,723-726
Shaving Cream or Shaving Soap (M)	340,840	Starch	730-732
Shampoo (M)	395-397,880	Steel, plate, sheet or strip	365
Shavings, Wood	370,729,860	Stout	310,360,810
Sheet, iron or steel	365	Strands	379.4
Sheets, black, galvanized, corrugated or plain	760,764,765	Styrene (M)	820
Sheets, or Price Lists (M)	395-397,880	Sugar	390,740,745
Sheets, sawdust or ground wood, compressed	685,690,691,710	Sugar, beet or cane	390
Shells, cocoa bean	652-654, 652-654, 680,685,690,691, 710,761,767,870	Sugar, corn, sorghum grain or wheat	390
Shells, Nut	680,685,690,691, 710,761,767,870	Suit Cases (M)	395-397,880
Shingles	762,767	Supplies, Oil, Water or Gas Well	365,720
Shingles or Siding, asbestos, hard (M)	762,767	Syrup	318-1,320-1,815
Shoes, riveted or cast	760,764,765	Syrup, Malt	360
Shortening	335.5	Syrups, flavoring or fruit	318.1,335.7
Slab, building or roofing	813	Syrups, Fruit	360.5
Slides, drawer, shelf or table, steel	362	Table Sauces	320-1
Soap	730	Tablets (M)	395-397,880
Soap, liquid (M)	377.5,723-726	Tags, gift (M)	395-397,880
Soap, liquid	730-732	Tankage	759
		Tanks, steel	365
		Tape, paper, sealing	801
		Tapioca	360.5
		Tar (M)	762,767

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

\* Addition, Decision No. **89487**

EFFECTIVE

Correction

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

MINIMUM RATE TABLE 2

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
Tea	360.5	Valves, iron or brass (M)	365
Tea, extract of (condensed or instant), dry	360.5	Valves, Pump Working Barrel	365
Teas	760,764,765	Vaults, Grave	334.8,823
Telephone Materials and Supplies	875	Vaults, Utility	334.8,823
Tickets (M)	395-397,880	Vegetable Oil Shortening	335.5
Ties, bale	760,764,765	Vegetables, frozen	850
Ties, railroad	690,691,710	Vegetables (not dehydrated, dried, evaporated nor fresh)	320-1
Timbers	690,700,710	Veneer	690,691,700,710
Tinplate	760,764,765	Vermicelli, except canned	360.5
Tire Tubes (M)	377.5,723-726	Vermicelli (prepared)	320
Tires, Pneumatic (M)	377.5,723-726	Vermicelli, dry, and other ingredients	345,360
Toilet Preparations and other Articles (M)	340,395-397, 840,880	Vermouth	400
Toluol (M)	325,820	Vinegar	320-1
Tools, Mechanics' (M)	365	Wallboard, other than plasterboard	649,762,767
Toothbrushes (M)	340,840	Washers	760,764,765
Toppings	320-1	Washing Powders	730-732
Towers, Water Cooling, Atmospheric (M)	365	Washing Soda	730-732
Toys	355	Wax, automobile, boat, floor or furniture (M)	377.5,723-726
Toys (M)	395-397,880	Wax, boat, floor, furniture or vehicle	730-732
Trays, plastic (M)	395-397,880	Wax, Laundry Compound	360.5
Triglycerides of Fat-forming Fatty Acids	335.5	Weights	760,764,765
Trisodium Phosphate	730-732	Welsh Rarebit	320-1
Trucks, Steam Boiler (M)	365	Wheat Cerm	652-654
Trusses	760,764,765	Whey	345
Tubes, Boiler	365	Wine	360,400,885
Tubing, iron or steel, cast or wrought, plate or sheet	365	Wine, cooking	320-1
Tubing, iron or steel, well casing or drilling	365	Wire	760,764,765
Tubing, pier	760,764,765	Wood Fibreboard Hardboard	690,691,710
Tubs, Woodenware	758	Wood Preservatives (M)	377.5,723-726
Turnbuckles	760,764,765	Yarn	379.4
Urea	652-654h	Yeast or Yeast Powder	360.5
		Yogurt	335.6,833
		Zees	760,764,765

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

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 SAN FRANCISCO, CALIFORNIA.

MINIMUM RATE TARIFF 2

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued)		
(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.)		Class Rating
<p style="text-align: center;">CANNED GOODS (Concluded) (Items 320 and 320-1)</p> <p>CANNED GOODS in inner containers of earthenware, glass, molded plastic hermetically-sealed fibreboard, or metal cans, in outer containers, viz.: boxes, fibreboard boxes or crates; or in metal cans in metal strapped bundles; or in hermetically-sealed metal cans on pallets with each palletized unit encased by four wraps of one mil plastic stretch film (See Note); or in bulk in the following containers: barrels, hogsheads, pipes, puncheons, tierces, casks, drums, half-barrels, quarter-barrels, sixth-barrels, eighth-barrels or kegs; viz.:</p> <p>Molasses (74090 or 74110) Mushrooms (74130) Oil, cooking or salad (144800 or 145100) Oil, olive (145190) Olives (74180) Peanut Butter, Peanut Paste, or Peanut Spread (74220) Pectin (74240) Pickles (74300) Pie Preparation (fruit in syrup or in paste form compounded with flour or sugar and flavored) (73240) Potatoes, cooked and powdered (74450) Puddings (74520) Ravioli (prepared), with or without cheese, meat or vegetable ingredients (73200) Rice-and-milk, cooked (73200) Salads, fish, macaroni, meat or vegetable (74640) Sandwich Spreads (74680) *oSauces or Toppings (74700) Sauces, basic food, such as marinara, pizza, spaghetti or Spanish sauce, other than dry (74710) Sausage (134700 or 134800) Sausage Casings (172480) Soybean Milk Compound (74840) Syrups (74110, 75120, 75140, 75150, 75170 or 75180) Table Sauces, Catsup, Salad Dressing, Mayonnaise, Prepared Horseradish, Prepared Mustard and Pepper Sauce (74710) Vegetables and commodities (74720, 75320 or 75322) Vinegar (75360) Welsh Rarebit (75420) Wine, cooking, flavoring or seasoning (salted or sugared) (75430)</p> <p>Less truckload-----</p> <p>(E)NOTE.--Applicable only when a Test Permit Shipment has been issued by the National Classification Board authorizing the stretch wrap film method of packaging.</p>		<p style="text-align: center;">320-1</p> <p style="text-align: center;">50.1</p>
(E) Expires with May 31, 1979.		
<p>o Change ) - Addition ) Decision No. <b>89487</b> o Reduction )</p>		
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