

ORIGINAL

Decision No. 89832 JAN 4 1979

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. 926

SUPPLEMENTAL OPINION AND ORDER

Decision 86833, dated January 5, 1977, in this proceeding provided for the extension of expiration dates governing the provisions for split pickup and delivery services, multiple service shipments and volume incentive services and amends Minimum Rate Tariff 2 by establishing therein rates for truckload efficiency service.

On September 12, 1977, California Trucking Association filed Petition for Modification of Decision 86833, supra, amending the application of surcharge to the rates subject to the provisions of volume incentive service (Items 893 and 894) on bulk materials transported in pneumatic equipment.

The Commission staff analyzed the petition and concluded that an increase of not more than three percent (3%) would be reasonable. Petitioner has indicated to the Commission staff that a three percent (3%) increase in this matter is acceptable.

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. The order will be made effective on the date hereof as there is an immediate need for corrective action.

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, Second Revised Page 66-N-48 and First Revised Page 66-N-50, 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 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 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.

6. The Executive Director shall serve a copy of this decision on every common carrier or such carriers' authorized tariff publishing agents, performing transportation services subject to Minimum Rate Tariff 2.

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7. The Executive Director shall serve a copy of each of the tariff amendments on each subscriber to Minimum Rate Tariff 2.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 4th day
of JANUARY, 1979.

Robert B. ...

President

Robert D. ...

Clare J. ...

Commissioners

SECTION 3-B--VOLUME INCENTIVE SERVICE	ITEM																
VOLUME INCENTIVE SERVICE EXCEPTIONS TO GOVERNING CLASSIFICATION AND SECTION 2 OF THE EXCEPTION RATINGS TARIFF																	
VOLUME INCENTIVE SERVICE APPLICATION OF RATES (Applies only in connection with the class rates named in Items 895.1 to 895.6 inclusive)																	
<p>(a) Rates in this item shall apply only on prepaid shipments when the bill of lading is annotated by shipper certifying that the shipment meets the requirements of this item and requesting volume incentive service. Rates in this item do not apply to:</p> <ol style="list-style-type: none"> 1. Shipments which require temperature control service, split pickup or delivery service, collect on delivery (C.O.D.) or order notify service, or which have origin or destination on steamship docks or oilwell sites; 2. Shipments moving on government bill of lading; 3. Shipments which are not loaded in their entirety during one calendar day; 4. Shipments subject to Items 85, 90, 91 or 365, nor 5. Multiple service shipments. <p>(b) The charge for service under the provisions of this item shall be determined and applied as follows:</p> <ol style="list-style-type: none"> 1. Determine the applicable classification truckload rating as provided in the Governing Classification and Sections 2-B and 2-C of the Exception Ratings Tariff for the shipment; and 2. Multiply the actual weight of the shipment (but not less than 45,000 pounds per unit of carrier's equipment used) by the applicable rate (See Note) provided for the next lower rating as provided in paragraph (b) 4. (See Exception) <p style="text-align: center;">EXCEPTION.--Rate shall also apply to a shipment weighing less than 45,000 pounds provided the charges are computed on a weight of not less than 45,000 pounds per unit of carrier's equipment.</p> <ol style="list-style-type: none"> 3. In no event shall the charge so determined be less than the charge for 50,000 pounds at the Class 35.4 rate in Item 895.2. 4. The applicable next lower rating shall be as follows: <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">When the applicable rating is class:</th> <th style="text-align: center;">The next lower rating to be applied shall be class:</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">45</td> <td style="text-align: center;">40</td> </tr> <tr> <td style="text-align: center;">40</td> <td style="text-align: center;">37½</td> </tr> <tr> <td style="text-align: center;">37½</td> <td style="text-align: center;">35</td> </tr> <tr> <td style="text-align: center;">35</td> <td style="text-align: center;">35.1</td> </tr> <tr> <td style="text-align: center;">35.1</td> <td style="text-align: center;">35.2</td> </tr> <tr> <td style="text-align: center;">35.2</td> <td style="text-align: center;">35.3</td> </tr> <tr> <td style="text-align: center;">35.3</td> <td style="text-align: center;">35.4</td> </tr> </tbody> </table> <p>*NOTE.--On bulk materials transported in pneumatic equipment compute the amount of charges in accordance with appropriate rates and rules in this tariff and increase the amount so computed by three percent (3%).</p> <p>(c) Rates provided in this item do not alternate with other rates and charges in this tariff and rates provided in this item may not be used in combination with any other rates.</p>		When the applicable rating is class:	The next lower rating to be applied shall be class:	45	40	40	37½	37½	35	35	35.1	35.1	35.2	35.2	35.3	35.3	35.4
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Change) Addition) Decision No. 89832 Increase)	#893 EFFECTIVE FEB. 3, 1978																
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.																	
Correction																	

MINIMUM RATE TARIFF 2

SECTION 3-B--VOLUME INCENTIVE SERVICE (Continued)	ITEM																				
VOLUME INCENTIVE SERVICE EXCEPTIONS TO GOVERNING CLASSIFICATION AND SECTION 2 OF THE EXCEPTION RATINGS TARIFF																					
SPECIAL VOLUME INCENTIVE SERVICE (Continued) APPLICATION OF RATES (Applies only in connection with the Special Volume Incentive Service class rates named in Items 895.2 to 895.6 inclusive)																					
<p>4. The charge for service under the provisions of this item shall be determined and applied as follows:</p> <p>(a) Determine the applicable truckload rating as provided in the Governing Classification or Sections 2-B, 2-C or 2-D (only) of the Exception Ratings Tariff.</p> <p>ø(b) Multiply the actual weight of the shipment, but not less than 96,000 pounds (see Notes 1 * and 2), by the rate determined in accordance with the table below:</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 50%;">When the applicable rating determined in accordance with paragraph 4 (a) is:</th> <th style="text-align: left; width: 50%;">The rate to apply is that which corresponds to the rating shown below:</th> </tr> </thead> <tbody> <tr><td style="text-align: center;">50</td><td style="text-align: center;">40</td></tr> <tr><td style="text-align: center;">45</td><td style="text-align: center;">37½</td></tr> <tr><td style="text-align: center;">40</td><td style="text-align: center;">35</td></tr> <tr><td style="text-align: center;">37½</td><td style="text-align: center;">35.1</td></tr> <tr><td style="text-align: center;">35</td><td style="text-align: center;">35.2</td></tr> <tr><td style="text-align: center;">35.1</td><td style="text-align: center;">35.3</td></tr> <tr><td style="text-align: center;">35.2</td><td style="text-align: center;">35.4</td></tr> <tr><td style="text-align: center;">35.3</td><td style="text-align: center;">95% of 35.4</td></tr> <tr><td style="text-align: center;">35.4</td><td style="text-align: center;">90% of 35.4</td></tr> </tbody> </table> <p>NOTE 1.--If more than 2 units of carrier's equipment are required to transport the shipment, the minimum weight shall be determined by multiplying the number of units of carrier's equipment utilized (whether or not fully loaded) by 45,000 pounds.</p> <p>*NOTE 2.--On bulk materials transported in pneumatic equipment compute the amount of charges in accordance with appropriate rates and rules in this tariff and increase the amount so computed by three percent (3%).</p> <p>5. Rates resulting from application of this item do not alternate with other rates and charges in this tariff and may not be used in combination with any other rates.</p>		When the applicable rating determined in accordance with paragraph 4 (a) is:	The rate to apply is that which corresponds to the rating shown below:	50	40	45	37½	40	35	37½	35.1	35	35.2	35.1	35.3	35.2	35.4	35.3	95% of 35.4	35.4	90% of 35.4
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