

ORIGINAL

Decision No. 89839 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, in )  
bulk, of agricultural products )  
and related articles statewide )  
as provided in Minimum Rate )  
Tariff 14-A and the revisions or )  
reissues thereof. )

Case No. 7857  
Petition for Modification  
No. 166  
(Filed November 13, 1978)

OPINION AND ORDER

Minimum Rate Tariff 14-A contains rates and rules governing the transportation of bulk grain, rice, animal feed, oilseeds, hay and related agricultural commodities. By this petition, California Trucking Association seeks to have the expiration date extended for a one-year period in Item 181, as it pertains to a mileage restriction, in connection with "Field Pickup Shipment" provisions.

Petitioner states that the "Field Pickup Shipment" provisions were established on an experimental basis to enable a period for shippers and carrier use and exposure to the new concepts, prior to evaluating the need for revision. The intervening period indicates that the provisions have been mutually beneficial and that other modifications may be desirable; however, additional time is necessary for the parties to formalize the modification.

The petition was listed on the Commission's Daily Calendar of November 15, 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 justified. A public hearing is not necessary. The Commission concludes that the petition should be granted and the effective date of this order should be the date hereof because there is an immediate need for this rate relief.

IT IS ORDERED that:

1. Minimum Rate Tariff 14-A (Appendix A to Decision 67397, as amended) is further amended by incorporating therein, Fifth Revised Page 12-A, to become effective February 1, 1979, the revised page attached hereto by this reference is made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are also subject to Decision 67397, as amended, are authorized to establish in their tariffs the amendment necessary to conform with the further adjustment ordered herein.

3. Tariff publications authorized to be made by common carriers as a result of this order may be made effective not earlier than February 1, 1979, and may be made effective on not less than one day's 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 hereinabove, are hereby 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 67397, 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 service subject to Minimum Rate Tariff 14-A.

7. The Executive Director shall serve a copy of the tariff amendment on each subscriber to Minimum Rate Tariff 14-A.

C. 7857, Pet. 166 - FS

The effective date of this order is the date hereof.

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

*Robert R. ...*

President

*Robert D. ...*

*Clare J. ...*

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Commissioners

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM				
<p style="text-align: center;">FIELD PICKUP SHIPMENT (Concluded) (Items 180 and 181)</p> <p>6. When written information as required in paragraph 5 of this item has not been received by the carrier prior to or at the time of the first pickup, the following provisions shall apply:</p> <p>(a) Written shipping instructions shall be furnished by the debtor to the carrier within a period of 2 calendar days (excluding Saturdays, Sundays and legal holidays) of the date on which the first lot is picked up. The written instructions shall confirm oral shipping instructions and shall describe the kind and quantity of property in the field pickup shipment.</p> <p>(b) Within a period of 2 calendar days (excluding Saturdays, Sundays and legal holidays) of the date on which it receives the written shipping instructions, the carrier shall issue to the debtor the single shipping document for the entire field pickup shipment as required by paragraph 5 of this item.</p> <p>7. A single freight bill for each field pickup shipment transported, stating the rate and charge, shall be issued no later than 7 days from the date of the first pickup. Such freight bill shall show the point of origin, point of destination, the name of the debtor, the name of the consignor, the name of the carrier, date, description and weight of the property in each component part separately transported. A separate document may be issued for each component part, showing the point of origin, point of destination, date, description and weight of each component part so transported, and shall give reference to the single freight bill covering the entire field pickup shipment and shall be attached thereto and become a part thereof.</p> <p>8. (This paragraph is not applicable in connection with shipments transported at rates in Section 6.) One clean-up load, the last of not less than 10 loads which are part of a field pickup shipment, may be transported at its actual weight utilizing the column of rates applicable to the prior loads, (1) provided that this component is not transported more than 35 constructive miles. The applicable rate shall be assessed against the actual weight of the commodity transported. (1) If the clean-up load is transported more than 35 constructive miles it shall be rated as a separate field pickup shipment at its actual weight.</p>	181				
<p style="text-align: center;">HANDLING OF CLAIMS FOR LOSS OR DAMAGE</p> <p>Claims for loss or damage shall be governed by the provisions of General Order No. 139.</p>	185				
<p style="text-align: center;">SPECIALIZED EQUIPMENT</p> <p>The rates and charges in Distance or Territorial Commodity Rate Items 300, 301, 400, 550 and 600 shall be subject to an additional charge of one (1¢) cent per 100 pounds whenever the following types of carrier's equipment are required by consignor or consignee:</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Chain Floor Trailers</td> <td>Pneumatic Equipment</td> </tr> <tr> <td>End Dump Trailers</td> <td>Walking Floor Trailers</td> </tr> </table> <p>The shipping documents must indicate the type of equipment required.</p>	Chain Floor Trailers	Pneumatic Equipment	End Dump Trailers	Walking Floor Trailers	188
Chain Floor Trailers	Pneumatic Equipment				
End Dump Trailers	Walking Floor Trailers				
<p>§60(1) Mileage restriction expires with January 31, 1980.</p> <p>       § Change )        ◊ Increase ) Decision No. <b>89839</b>        ◊ Reduction )     </p>					
<p>EFFECTIVE FEBRUARY 1, 1979</p>					
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>					