

Decision No. 90296 MAY 8 1979

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
And Related Matters )	Case No. 5439
)	Case No. 5441

OPINION AND ORDER

Various common carriers engaged in intrastate transportation within California participate in National Motor Freight Classification NMF 100-E, hereinafter referred to as the Governing Classification, for class ratings and other provisions. Also, various Commission minimum rate tariffs are subject to the class ratings and/or other provisions of such classification.

By Special Tariff Docket No. STD-9357, filed March 23, 1979, California Trucking Association and National Motor Freight Traffic Association, Inc., Agent, seek authority, on behalf of such common carriers, to reissue the current Governing Classification as National Motor Freight Classification NMF 100-F to become effective May 5, 1979<sup>1/</sup> and be adopted and prescribed as the Governing Classification for the Commission's minimum rate tariffs.<sup>2/</sup>

<sup>1</sup> The proposed reissue of National Motor Freight Classification NMF 100-F is set forth in Exhibit A of Special Tariff Docket No. STD 9357.

<sup>2</sup> The tariffs are Minimum Rate Tariffs 1-B (East Bay Drayage), 2 (General Commodities Statewide), 6-B (Petroleum and Petroleum Products Statewide), 9-B (San Diego Drayage), 11-A (Uncrated New Furniture Statewide), 14-A (Agricultural Commodities Statewide), 15 (Vehicle Unit Rates), 19 (San Francisco Drayage) and Exception Ratings Tariff 1.

Applicants state that the Governing Classification is periodically reissued to minimize the difficulties which accompany excessive supplementation of tariff material, and accordingly the present classification is being reissued as National Motor Freight Classification NMF 100-F, with an effective date of May 5, 1979 for interstate application.

The staff of the Transportation Division recommends that Special Tariff Docket No. 9357 be approved by the Commission subject to certain conditions. Among the recommended conditions is that the Commission not adopt the proposed revision in Rule 997 Weights - Minimum Weight Factor which would substantially change the provisions of the rule. To preserve the "status quo" which should exist in the reissue of the former classification, certain amendments of the involved minimum rate tariffs will be made. The Commission concludes that Minimum Rate Tariffs 2, 1-B, 9-B and 19 should be amended accordingly in the ensuing order.

The order which follows will be made effective on the date hereof to permit tariff filings on one day's notice to the Commission and to the public and to establish an effective date of May 10, 1979, on California intrastate traffic.

IT IS ORDERED that:

1. Minimum Rate Tariff 2 (Appendix D to Decision No. 31606, as amended) is hereby further amended by incorporating therein to become effective May 10, 1979, Fourteenth Revised Page 15-C, attached hereto and by this reference made a part hereof.
2. Minimum Rate Tariff 1-B (Appendix B of Decision No. 65834, as amended) is further amended by incorporating therein, to become effective May 10, 1979, Twenty-fifth Revised Page 18-A, attached hereto and by this reference made a part hereof.
3. Minimum Rate Tariff 9-B (Appendix A of Decision No. 67766, as amended) is further amended by incorporating therein, to become effective May 10, 1979, Twenty-ninth Revised Page 18, attached hereto and by this reference made a part hereof.

4. Minimum Rate Tariff 19 (Appendix A of Decision No. 41363, as amended) is further amended by incorporating therein, to become effective May 10, 1979, Fifty-third Revised Page 16, attached hereto and by this reference made a part hereof.

5. Tariff publications authorized to be made by common carriers as a result of this order may be made effective not earlier than May 10, 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 July 9, 1979.

6. In all other respects, Decisions Nos. 31606, 41363, 65834 and 67766, as amended, shall remain in full force and effect.

7. 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 Tariffs 2, 1-B, 9-B and 19.

8. The Executive Director shall serve a copy of each of the tariff amendments on each subscriber to Minimum Rate Tariffs 2, 1-B, 9-B and 19.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 8th  
day of MAY, 1979.

John E. Coyle  
Resident  
Ernest L. Sturgeon

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.

Richard D. Gravelle  
Richard D. Gravelle  
Commissioners

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
APPLICATION OF GOVERNING PUBLICATIONS	
<p>1. This tariff is governed to the extent shown herein by:</p> <p>(a) The Governing Classification, except that this tariff is subject to the following rules (items) only thereof (See Notes 1, **, *3, 4 and 5):</p> <p>110, Sections 1, 3(d), 4, 4(a), 4(b), 5, 6(a), 6(b), 6(c), 7, 7(a), 7(b), 7(c), 7(d), 8, 8(a), 8(b), 9, 10, 11(a), 11(b), 11(c), 12, 12(a), 12(b), 12(c), 12(d), 12(e), 12(f), 13(a), 13(b), 13(c), 14, 15, 15(a), 15(b), 15(c), 15(d), 15(e), 16, 17 and 18;</p> <p>112; 200; 201; 202; 205; 210; 215; 220; 222; 222-1; 222-2; 222-3; 222-4; 222-5; 222-6; 225; 230; 235; 240; 245; 250; 255; 256; 257; 258; 260; 265; 270; 275; 280; 285; 291; 292; 294; 296; 297; 300; 310;</p> <p>360, Sections 1, 1(a), 1(b), 1(e), 1(f) (Except wherever a charge of 20¢ or \$1.00 is shown this charge shall be 10¢ or 50 cents respectively on California intrastate traffic), 1(g), 1(h), 2, 2(a), 2(c), 2(d), 3 and 5;</p> <p>365; 381; 420, Sections 1, 2, 4 and 5; 421; 422; 423; 424; 426; 428;</p> <p>430; Sections 1, 2, 3, 4, 5, 6, 7, 8, 9 (except payment by certified check shall be accepted on California intrastate traffic), 10, 11(a), 11(b) and 13;</p> <p>455; 520; 535; 540; 565; 580; 595; 640; 645; 680; 685; 687; 689; 765; 780, Section 2; 845; 995 (Section 2 only) **.</p> <p>Note 1.--The provisions of Item 55890, Sub 2 of the Governing Classification shall be subject to a minimum weight of 12,000 pounds on California intrastate traffic.</p> <p>Note 2.--**</p> <p>*Note 3.--The minimum weight factors named in the Governing Classification in connection with the individual descriptions and classes therein are stated in thousands of pounds.</p> <p>Note 4.--The provisions of Item 151390, Sub. 7 of the Governing Classification shall be subject to a minimum weight of 30,000 pounds on California intrastate traffic.</p> <p>Note 5.--Dangerous Articles Tariff (DAT) means Hazardous Materials Tariff on California intrastate traffic.</p> <p>(b) The Exception Ratings Tariff.</p> <p>(c) The Hazardous Materials Tariff (California Regulations).</p> <p>(d) The Distance Table.</p> <p>2. Where the ratings and rules or other provisions or conditions provided in the governing publications described in paragraphs 1(a), (b) and (d) hereof are in conflict with those provided in this tariff, the provisions of this tariff will apply. Except as otherwise specifically provided in this tariff, where the provisions of the Hazardous Materials Tariff are in conflict with the provisions set forth in this tariff or the otherwise governing publications referred to in paragraphs 1(a), (b) and (d) hereof, the provisions of the Hazardous Materials Tariff will apply.</p>	<p>#50</p>
<p>* Change )                  * Addition ) Decision No. <b>50295</b>                  ** Eliminated )</p>	
EFFECTIVE <b>5/10/79</b>	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction

MINIMUM RATE TARIFF 1-B

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates provided in this tariff are for the transportation of shipments from point of origin to point of destination and include tailgate loading into and tailgate unloading from the carrier's equipment. (See Item 110)</p>	90
<p style="text-align: center;">APPLICATION OF GOVERNING PUBLICATIONS</p> <p>1. This tariff is governed to the extent shown herein by:</p> <p>⊘(a) The Governing Classification, except that this tariff is subject to the following rules (items) only thereof (See Notes 1, **, *3, 4 and 5):</p> <p>110, Sections 1, 3(d), 4, 4(a), 4(b), 5, 6(a), 6(b), 6(c), 7, 7(a), 7(b), 7(c), 7(d), 8, 8(a), 8(b), 9, 10, 11(a), 11(b), 11(c), 12, 12(a), 12(b), 12(c), 12(d), 12(e), 12(f), 13(a), 13(b), 13(c), 14, 15, 15(a), 15(b), 15(c), 15(d), 15(e), 16, 17 and 18;</p> <p>112; 200; 201; 202; 205; 210; 215; 220; 222; 222-1; 222-2; 222-3; 222-4; 222-5; 222-6; 225; 230; 235; 240; 245; 250; 255; 256; 257; 258; 260; 265; 270; 275; 280; 285; 291; 292; 294; 296; 297; 300; 310;</p> <p>360, Sections 1, 1(a), 1(b), 1(e), 1(f) (Except wherever a charge of 20¢ or \$1.00 is shown this charge shall be 10¢ or 50 cents respectively on California intrastate traffic), 1(g), 1(h), 2, 2(a), 2(c), 2(d), 3 and 5;</p> <p>365; 381; 420, Sections 1, 2, 4 and 5; 421; 422; 423; 424; 426; 428;</p> <p>430, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9 (except payment by certified check shall be acceptable on California intrastate traffic), 10, 11(a), 11(b) and 13;</p> <p>455; 520; 535; 540; 565; 580; 595; 640; 645; 680; 685; 687; 689; 765; 780, Section 2; 845; 995 (Section 2 only) **.</p> <p>NOTE 1.--The provisions of Item 55890, Sub 2 of the Governing Classification shall be subject to a minimum weight of 12,000 pounds on California intrastate traffic.</p> <p>NOTE 2.--**</p> <p>*NOTE 3.--The minimum weight factors named in the Governing Classification in connection with the individual descriptions and classes therein are stated in thousands of pounds.</p> <p>NOTE 4.--The provisions of Item 151390, Sub. 7 of the Governing Classification shall be subject to a minimum weight of 30,000 pounds on California intrastate traffic.</p> <p>NOTE 5.--Dangerous Articles Tariff (DAT) means Hazardous Materials Tariff on California intrastate traffic.</p> <p>(b) The Exception Ratings Tariff, Sections 2-B, 2-C and 2-D only.</p> <p>(c) The Hazardous Materials Tariff (California Regulations).</p> <p>2. Where the ratings and rules or other provisions or conditions provided in the Governing Classification or Exceptions Ratings Tariff are in conflict with those provided in this tariff, the provisions of this tariff will apply. Except as otherwise specifically provided in this tariff, where the provisions of the Hazardous Materials Tariff are in conflict with provisions set forth in this tariff or the otherwise governing publications referred to in paragraphs 1(a) and (b) hereof, the provisions of the Hazardous Materials Tariff will apply.</p>	⊘100
<p>⊘ Change )          * Addition ) Decision No. <b>90236</b>          ** Eliminated )</p>	
<p>EFFECTIVE <u>5/10/79</u></p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,          SAN FRANCISCO, CALIFORNIA.</p>	

Correction

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF CLASS RATES THAT ARE PERCENTAGES, MULTIPLES OR PROPORTIONS OF SPECIFIC CLASS RATINGS</p> <p>Class ratings which are based on percentages, multiples or proportions of Class 100 or other specified class ratings are not restricted in their application solely to the minimum class rates in the any quantity weight brackets but will apply in connection with the minimum weight brackets set forth in this tariff applicable to the shipment transported.</p>	70
<p style="text-align: center;">APPLICATION OF GOVERNING PUBLICATIONS</p> <p>1. This tariff is governed to the extent shown herein by:</p> <p>¶(a) The Governing Classification, except that this tariff is subject to the following rules (items) only thereof (See Notes 1, **, *3, 4 and 5):</p> <p>110, Sections 1, 3(d), 4, 4(a), 4(b), 5, 6(a), 6(b), 6(c), 7, 7(a), 7(b), 7(c), 7(d), 8, 8(a), 8(b), 9, 10, 11(a), 11(b), 11(c), 12, 12(a), 12(b), 12(c), 12(d), 12(e), 12(f), 13(a), 13(b), 13(c), 14, 15, 15(a), 15(b), 15(c), 15(d), 15(e), 16, 17 and 18;</p> <p>112; 200; 201; 205; 210; 215; 220; 222; 222-1; 222-2; 222-3; 222-4; 222-5; 222-6; 225; 230; 235; 240; 245; 250; 255; 256; 257; 258; 260; 265; 270; 275; 280; 285; 291; 292; 294; 296; 297; 300; 310;</p> <p>360; Sections 1, 1(a), 1(b), 1(e), 1(f) (Except wherever a charge of 20¢ or \$1.00 is shown this charge shall be 10¢ or 50 cents respectively on California intrastate traffic), 1(g), 1(h), 2, 2(a), 2(c), 2(d), 3 and 5;</p> <p>365; 381; 420, Sections 1, 2, 4 and 5; 421; 422; 423; 424; 426; 428;</p> <p>430, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9 (except payment by certified check shall be acceptable on California intrastate traffic), 10, 11(a), 11(b) and 11;</p> <p>455; 520; 535; 540; 565; 580; 595; 640; 645; 680; 685; 687; 689; 765;</p> <p>780, Section 2; 845; 995 (Section 2 only) **.</p> <p>Note 1.--The provisions of Item 55890, Sub 2 of the Governing Classification shall be subject to a minimum weight of 12,000 pounds on California intrastate traffic.</p> <p>Note 2.---**</p> <p>*Note 3.--The minimum weight factors named in the Governing Classification in connection with the individual descriptions and classes therein are stated in thousands of pounds.</p> <p>Note 4.--The provisions of Item 151390, Sub. 7 of the Governing Classification shall be subject to a minimum weight of 30,000 pounds on California intrastate traffic.</p> <p>Note 5.--Dangerous Articles Tariff (DAT) means Hazardous Materials Tariff on California intrastate traffic.</p> <p>(b) The Exception Ratings Tariff, Sections 2-C and 2-D only.</p> <p>(c) The Hazardous Materials Tariff (California Regulations).</p> <p>(d) The Distance Table (territorial descriptions only - see Item 30 herein).</p> <p>2. Where the ratings and rules or other provisions or conditions provided in the governing publications described in paragraphs 1(a), (b) and (d) are in conflict with those provided in this tariff, the provisions of this tariff will apply.</p> <p>3. Except as otherwise specifically provided in this tariff, where the provisions of the Hazardous Materials Tariff are in conflict with the provisions set forth in this tariff or the otherwise governing publications referred to in paragraphs 1(a), (b) and (d), the provisions of the Hazardous Materials Tariff will apply.</p> <p>4. Except as otherwise provided in this tariff, shipments subject to truckload ratings lower than Class 50 will be subject to rates provided for Class 50.</p>	880
<p>¶ Change )                  * Addition ) Decision No. <b>90296</b>                  ** Eliminated )</p>	
<p>EFFECTIVE <b>5/10/79</b></p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,                  SAN FRANCISCO, CALIFORNIA.</p>	

Correction

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates provided in this tariff are for the transportation of shipments from point of origin to point of destination and include tailgate loading into and tailgate unloading from the carrier's equipment with services of the driver only.</p>	60
<p style="text-align: center;">APPLICATION OF GOVERNING PUBLICATIONS</p> <p>1. This tariff is governed to the extent shown herein by:</p> <p>(a) The Governing Classification, except that this tariff is subject to the following rules (items) only thereof (See Notes 1, **, *3, 4 and 5):</p> <p>110; Sections 1, 3(d), 4, 4(a), 4(b), 5, 6(a), 6(b), 6(c), 7, 7(a), 7(b), 7(c), 7(d), 8, 8(a), 8(b), 9, 10, 11(a), 11(b), 11(c), 12, 12(a), 12(b), 12(c), 12(d), 12(e), 12(f), 13(a), 13(b), 13(c), 14, 15, 15(a), 15(b), 15(c), 15(d), 15(e), 16, 17 and 18;</p> <p>112; 200; 201; 202; 205; 210; 215; 220; 222; 222-1; 222-3; 222-4; 222-5; 222-6; 225; 230; 235; 240; 245; 250; 255; 256; 257; 258; 260; 265; 270; 275; 280; 285; 291; 292; 294; 296; 297; 300; 310;</p> <p>360, Sections 1, 1(a), 1(b), 1(e), 1(f) (Except wherever a charge of 20¢ or \$1.00 is shown this charge shall be 10¢ or 50 cents respectively on California intrastate traffic), 1(g), 1(h), 2, 2(a), 2(c), 2(d), 3 and 5;</p> <p>365; 381; 420, Sections 1, 2, 4 and 5; 421; 422; 423; 424; 426; 428;</p> <p>430; Sections 1, 2, 3, 4, 5, 6, 7, 8, 9 (except payment by certified check shall be acceptable on California intrastate traffic), 10, 11(a) 11(b), and 13;</p> <p>455; 520; 535; 540; 565; 580; 595; 640; 645; 680; 685; 687; 689; 765; 780, Section 2; 845; 995 (Section 2 only) **.</p> <p>NOTE 1.--The provisions of Item 55890, Sub 2 of the Governing Classification shall be subject to a minimum weight of 12,000 pounds on California intrastate traffic.</p> <p>NOTE 2.--**</p> <p>*NOTE 3.--The minimum weight factors named in the Governing Classification in connection with the individual descriptions and classes therein are stated in thousands of pounds.</p> <p>NOTE 4.--The provisions of Item 151390, Sub. 7 of the Governing Classification shall be subject to a minimum weight of 30,000 pounds on California intrastate traffic.</p> <p>NOTE 5.--Dangerous Articles Tariff (DAT) means Hazardous Materials Tariff on California intrastate traffic.</p> <p>(b) The Exception Ratings Tariff, Section 2-B, 2-C, and 2-D only.</p> <p>(c) The Hazardous Materials Tariff (California Regulations).</p> <p>2. Where the rating and rules or other provisions or conditions provided in the Governing Classification or Exception Ratings Tariff are in conflict with those provided in this tariff, the provisions of this tariff will apply. Except as otherwise specifically provided in this tariff, where the provisions of the Hazardous Materials Tariff are in conflict with the provisions set forth in this tariff or the otherwise governing publications referred to in paragraph 1(a) or (b) hereof, the provisions of the Hazardous Materials Tariff will apply.</p>	670
<p>Ø Change )                  * Addition ) Decision No. <b>90295</b>                  ** Eliminated )</p>	
<p>EFFECTIVE <b>5/10/79</b></p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,                  SAN FRANCISCO, CALIFORNIA.</p>	

Correction