

Decision No. 91591 APR 15 1980

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. 1054
(Filed February 8, 1980)

OPINION AND ORDER

Minimum Rate Tariff 2 (MRT 2) names minimum rates and rules for the statewide transportation of general commodities by highway carriers. By this petition, California Trucking Association (CTA) seeks to amend MRT 2 to provide for a special commodity rating on truckload shipments of alcoholic liquors from Fresno to destinations in southern California.

In Decision 87824, dated September 7, 1977, Petition for Modification 981, the Commission established a truckload exception rating for alcoholic liquors in Item 364 of MRT 2. Petitioner's proposal details efficiencies achievable that could be promoted by the utilization of this proposed point-to-point exception rating. Petitioner cites prior Commission practice stating:

"Whenever a joint carrier-shipper cooperative effort increases the carrier's efficiency of operations and thereby lowers the carrier's costs of operations, it is generally sound transportation economics to make a reasonable portion of such 'cost savings' available to the shipper through appropriate provisions in the tariff." (Decision 79952, dated April 18, 1972)

The petition was listed on the Commission's Daily Calendar of February 13, 1980. 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 for the transportation involved. Because petitioner has shown that there is an immediate need for this rate relief, the effective date of this order should be the date hereof. 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 of Decision 31606, as amended) is further amended by incorporating therein, to become effective twenty-five days after the date hereof, Fifty-fifth Revised Page 6 and Original Page 37 CCCCCC, 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 twenty-five 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 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.

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.

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 is the date hereof.

Dated APR 15 1980, at San Francisco, California.

President

William L. Sturgeon

Charles D. Howell

Philip T. Davis

James W. King

Commissioners

Commissioner John E. Bryson,
being necessarily absent, did
not participate.

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
Hair Goods (M)	395-397,880	Lamps, electric:	
Hand Bags (M)	395-397,880	Incandescent (M)	325, 820
Hangers, joint (iron or steel)	760, 764, 765	Fluorescent (M)	325, 820
Hardware Products and related items	362	Sealed beam (M)	325, 820
Flat Boxes (M)	395-397,880	Lard; Lard Compounds; Lard Substitutes	335.5
Heat Transfer Agents or Media (M)	325, 820	Latches, metal	362
Hinges, steel	362	Lath, wooden	685,690,691,710
Holder, disinfectant, or deodorant NOI	395-397,880	Leaflets (M)	395-397,880
Holders, silverware (M)	395-397,880	Lenses, plastic (M)	325, 820
Hominy	320-1	Limestone, crushed or ground (feed grade)	652-6544
Honey	320, 360	Lime, Chlorinated	730-732
Hoops, iron or steel	760, 764, 765	Lining (felt or paper), carpet, plain	762,767
Korsradiah	360	Liquid, cigar or cigarette lighter (M)	377.5,723-726
Korsradiah, prepared	320-1	*Liquid, Plastic Materials	325, 820
Kulls, viz.: cocoa bean, cottonseed, nut, sunflower, whole or ground	652-6544	Liquors, Alcoholic	364, *364.1
Humus	370,860	Liquors, Malt	360
		Liquors, Vinous	360
Ice	660	Lists, Price (M)	395-397,880
Ice Cream	335.6,833	Litter, Animal or Poultry	370,860
Icings	360	Litter, Animal or Poultry (M)	652-6544
Ingot, iron or steel	760, 764, 765	Loins, fish, frozen	775
Ingredients, Dinner or Soup	360	Lubricant, Grease Binder	377.5,723-726
Ink Materials (M)	325,820	Lubricant, metal cutting, drawing or drilling (M)	377.5,723-726
Insecticides (M)	377.5,723-726	Lumber	680-715
*Insulating Material	363	Lye, Concentrated	730-732
Iron, plate or sheet	365		
Iron and Steel, structural, fabricated or unfabricated	760,764,765	Macaroni, except canned	360.5
		Macaroni (prepared)	320
Jam; Jolly	320	Macaroni, dry, and other ingredients	345,360
Jewelry, costume and novelty (M)	395-397,880	Malted Milk	360.5
Joints, Sucker Rod (iron or steel)	365	Manholes	334.8,823
Joists (reinforced concrete)	813	Margarine	335.5
Juice, Apple (M)	335.7	Material, box or crate	685,690,691,710
Juice, citrus fruit (M)	320		
Juice, Clam	320, 335.7	Material, roofing, building or paving	761,762,767,870
Juice, Fruit	320	Mayonnaise	320-1,335.7
Juice, grape (M); Juice, prune (M)	335.7	Meal, feather	652-6544
Junk (waste paper and rags)	765	Meat (Animal Feed)	338
		Meat, fresh	376,863
Kernels, sunflower	348	Meat, frozen	351,850
Keytones (M)	325, 820	Meat, other than fresh	360.5
Kits (M)	395-397,880	Meat Substitutes	360
Knobs, door or drawer, metal	362	Meats, cooked, cured or preserved	320,345
		Mechanics' Tools (M)	365
Ladder assemblies, tank or tower (iron or steel)	760, 764, 765	Methyl Butyl Ketone (M)	325,820
		Methyl Isobutyl (M)	325,820
		Methyl Methacrylate Monomer (M)	325, 820

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

* Addition, Decision No.

91591

EFFECTIVE

5/10/80

Correction

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

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">EXCEPTION TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued)</p> <p style="text-align: center;">(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>	<p style="text-align: center;">Class Rating</p>
<p>LIQUORS, ALCOHOLIC, NOI (111450)</p> <p>From: FRESNO</p> <p>To: METROPOLITAN ZONES 204 and 249 as described in the Distance Table. METROPOLITAN ZONE 301 as described in the Distance Table.</p> <p>Truckload Minimum Weight 50,000 pounds per unit of Carrier's Equipment Subject to Notes 1-through 6 herein.....</p> <p>NOTE 1.--Applicable only on shipments released to a value of \$2.00 per gallon or one-half of actual value, whichever is less. Shipper must enter the following statement on the bill of lading:</p> <p style="padding-left: 40px;">"The agreed or declared value of the property is hereby stated by the shipper to be one-half of actual value or \$2.00 (two dollars) per gallon, whichever is less."</p> <p>If shipper fails or declines to declare such value in writing, the provisions of this item will not apply.</p> <p>NOTE 2.--Applicable only when restricted to the services of a single carrier employee (driver) for each shipment. Physical assistance of this carrier employee shall be restricted to work within or on carrier's equipment, and shall not include stacking, unstacking, removal or placement of merchandise on pallets. The carrier or his employee shall not engage or pay for the service under any circumstances.</p> <p>NOTE 3.--Applicable in connection with shipments loaded by consignor and unloaded by consignee with power equipment, as described in Item 11, furnished and used without expense to the carrier, and when no services are performed at carrier's expense or by carrier personnel.</p> <p>NOTE 4.--An allowance of one hour free time for loading by consignor and one hour free time for unloading by consignee shall be made for each time a unit of carrier's equipment is used. Loading and unloading time shall be computed from the time of arrival of carrier's equipment at the place of loading or unloading until such loading or unloading is completed and carrier's equipment is released. The term place of loading or unloading means a particular street address or other designation of a factory, store, warehouse, place of business or the like. Excess loading or unloading time shall be charged for at the rates provided in Item 145 of this tariff.</p> <p>NOTE 5.--Provisions of this item may not be applied in connection with services performed in accordance with the following items of this tariff:</p> <ul style="list-style-type: none"> (a) Items 90-91.....Mixed Shipments (b) Items 160-163.....Split Pickup (c) Items 170-173.....Split Delivery (d) Item 185.....Temperature Control Service (e) Item 188.....Multiple Service Shipments <p>Also not applicable in connection with shipments issued on a Government Bill of Lading.</p> <p>NOTE 6.--Not applicable when used in combination with any other rates.</p>	<p style="text-align: center; vertical-align: middle;">35.3</p> <p style="text-align: right; vertical-align: middle;">*6 364.1</p>
<p>* Addition) o Reduction) Decision No. 91591</p>	
<p>EFFECTIVE 5/10/50</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

Correction