

Decision No. 92161 AUG 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 )  
cement and related products )  
statewide as provided in Minimum )  
Rate Tariff 10 and the revisions )  
or reissues thereof. )

Case No. 5440  
Petition for Modification  
No. 116  
(Filed June 12, 1980)

O P I N I O N

Minimum Rate Tariff 10 (MRT 10) contains rates and charges for the transportation of cement by highway carriers within California. By this petition the California Trucking Association (CTA) seeks to amend MRT 10 to establish a point-to-point truckload commodity rate for the transportation of cement, in bulk, from Calaveras Cement (Kentucky House) to Lodi. CTA, in its analysis, found that the volume of cement transported between the aforementioned points is quite substantial.

The special transportation characteristics surrounding this proposed rate reduction are numerous. In enumerating them, CTA states that the loading and unloading facilities for the transportation of cement are available to carriers on a continuous 24-hour day basis at both point of origin and destination. This permits maximization of equipment for the carriers who have dedicated certain vehicle units for this transportation operation. Furthermore, CTA contends that the hauling will be expedited in transit by the disallowment of any diversion, split pickup or stopping-in-transit services under the proposed rate. These economic savings are reflected in the proposed rate which is two to three percentage points less than the current MRT 10 distance rate for the same transportation.<sup>1/</sup>

<sup>1/</sup> In a letter, dated July 8, 1980 to the Commission, CTA requested that the present surcharges applicable to various rates and charges, as set forth in MRT 10, not be made applicable to the proposed commodity rate.

The application of the proposed rate is further predicated upon the shipper tendering a carrier a minimum of 10,000 tons in a given twelve month period, with a minimum weight factor of 52,000 pounds per unit of equipment utilized.

Copies of the petition were served in accordance with Commission rules and notice of the filing of the petition appeared on the Commission's Daily Calendar of June 16, 1980. There were no protests or requests for hearing. CTA requests authorization to depart from Section 461.5 of the Public Utilities Code, if the petition is granted.

A public hearing is not necessary.

In the circumstances the Commission finds that the petition is reasonable and should be granted as set forth in the ensuing order.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff 10 (Appendix A of Decision No. 44633, as amended) is further amended by incorporating therein, to become effective twenty-five days after the date hereof, Supplement 34, Thirteenth Revised Page 2 and Sixth Revised Page 12-C 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 to Decision No. 44633, as amended, are hereby authorized to establish in their tariffs the amendments necessary to conform with the further adjustments 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 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 supplement and 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 outstanding 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.

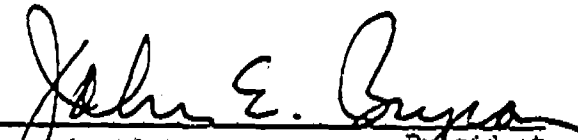
5. In all other respects Decision No. 44633, as amended, shall remain in full force and effect.

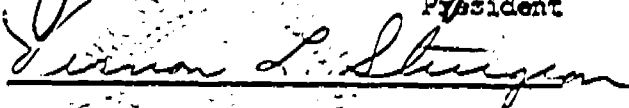
6. The Executive Director shall serve a copy of this decision on every common carrier, or such carriers' authorized tariff publishing agents, performing transportation services subject to Minimum Rate Tariff 10.

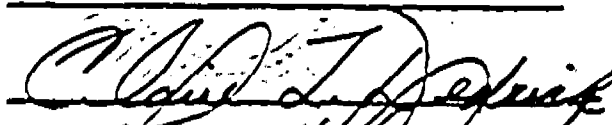
7. The Executive Director shall serve a copy of the tariff amendments on each subscriber to Minimum Rate Tariff 10.

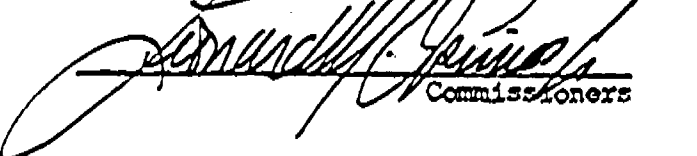
The effective date of this order is the date hereof.

Dated AUG 19 1980, at San Francisco, California.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_

  
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\_\_\_\_\_  
Commissioners

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

SURCHARGE SUPPLEMENT

SUPPLEMENT 34

(Cancels Supplement 33)

(Supplements 13 and 34 Contain All Changes)

TO

MINIMUM RATE TARIFF 10

NAMING

DISTANCE MINIMUM RATES

ALSO

RULES

FOR THE

TRANSPORTATION OF CEMENT AND OTHER

COMMODITIES OVER THE

PUBLIC HIGHWAYS

WITHIN THE

STATE OF CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND

CEMENT CONTRACT CARRIERS

Decision No.

92161

EFFECTIVE 9/13/80

## APPLICATION OF SURCHARGE

Except as otherwise provided, compute the amount of charges in accordance with the provisions of this tariff, and increase the amount so computed as follows: (See Exception)

1. By sixteen and one-half (16-1/2) percent on charges computed at rates set forth in Item 210 (Southern Territory) for shipments in bulk of 80 constructive miles or less.
2. By fifteen and three-quarters (15-3/4) percent on charges computed at rates set forth in Item 210 (Southern Territory) for shipments in bulk of over 80 constructive miles.
3. By sixteen and one-half (16-1/2) percent on charges computed at rates set forth in Item 210 (Southern Territory) for shipments in packages of 80 constructive miles or less.
4. By sixteen (16) percent on charges computed at rates set forth in Item 210 (Southern Territory) for shipments in packages of over 80 constructive miles.
5. By eighteen and one-quarter (18-1/4) percent on charges computed at the rates set forth in Item 205 (Northern Territory) for shipments in bulk.
6. By nineteen and one-quarter (19-1/4) percent on charges computed at the rates set forth in Item 205 (Northern Territory) for shipments in packages of 75 constructive miles or less.
7. By eighteen and one-quarter (18-1/4) percent on charges computed at the rates set forth in Item 205 (Northern Territory) for shipments in packages of over 75 constructive miles.
8. By sixteen and one-quarter (16-1/4) percent on charges computed at rates set forth in Item 220.
9. By seventeen and three-quarters (17-3/4) percent on all other rates and charges.

For purposes of disposing of fractions under provisions hereof, fractions of less than one-half (1/2) cent shall be dropped and fractions of one-half (1/2) cent or greater shall be increased to the next higher whole cent.

EXCEPTION: The surcharge herein shall not apply to:

1. Item 95 - Charges for obtaining a Weighmaster's Certificate;
2. Item 100 - Accessorial charges;
3. Item 142 - Collect on Delivery (C.O.D.) Shipment.
- \*4. Item 230 - Cement, in bulk, rate.

THE END

Change )  
\* Addition ) Decision No.

10132

100 100 100

MINIMUM RATE TARIFF 10

ARRANGEMENT OF TARIFF

This is a loose-leaf tariff arranged as follows:

Section No. 1 - Rules and Regulations

Section No. 2 - Rates

Section No. 3 - Form of Shipping Document

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	EFFECTIVE 9/13/20
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 2--DISTANCE RATES IN CENTS PER UNIT SHOWN	RATE (In Cents Per Pallet)	ITEM
<p>Empty Pallets, Second Hand (Used), viz.: (Subject to Notes 1 and 2)</p> <p>(a) Returning after being used in the transportation of a palletized cement shipment, or returning in exchange for pallets used in the transportation of a palletized cement shipment, to the consignor of the cement shipment, or</p> <p>(b) Shipped for use, or in exchange for pallets to be used, to the consignor or a palletized cement shipment.</p> <p>NOTE 1.--The provisions of this item apply only in connection with pallets used in the transportation of cement subject to rates in Southern Territory.</p> <p>NOTE 2.--The provisions of this item apply only when the empty pallets are transported by the same carrier utilized in the transportation of the cement shipment.</p>	<p>25</p>	<p>220</p>
<p>Cement, in bulk.</p> <p>From: Calaveras Cement (Kentucky House)</p> <p>To: Lodi</p> <p>NOTE 1.--MINIMUM WEIGHT shall be 52,000 pounds for each unit of carrier's equipment utilized.</p> <p>NOTE 2.--Rate applies only in connection with transportation performed in pneumatic equipment.</p> <p>NOTE 3.--Rate applies only when consignor and consignee have premises available to carriers to permit loading and unloading in a manner that will allow carriers to maintain a twenty-four-hour-a-day (24-hour day) schedule.</p> <p>NOTE 4.--Rate not applicable in connection with services performed in accordance with the following items of this tariff:</p> <p>(a) Item 110 .....Diverted Shipments</p> <p>(b) Item 130 .....Split Delivery</p> <p>NOTE 5.--Rate not applicable when used in combination with any other rates.</p> <p>NOTE 6.--Rate subject to shipper's tender of a minimum tonnage of 10,000 tons in any given 12 consecutive month period.</p>	<p>RATE (In Cents Per 100 Pounds)</p> <p>25½ (Subject to Notes 1 through 6)</p>	<p>*230</p>
<p>* Addition, Decision No. <b>92161</b></p>		
<p>EFFECTIVE <b>9/13/80</b></p>		
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,                  SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>		