ORIGINAL

Decision No. 93030 MAY 5 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation )
for the purpose of considering 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. 173
(Filed March 16, 1981)

### OPINION AND ORDER

By the above petition, California Trucking Association (CTA) requests the Commission to order general increases approximating 12 percent in the rates and charges in Minimum Rate Tariff 14-A (MRT 14-A) for the transportation, in bulk, of agricultural products.

The minimum rates and charges of MRT 14-A were last adjusted by Decisions Nos. 91831, 91843 and 92257 dated May 20, June 3, and September 16, 1980, respectively (Case No. 7857, Petition for Modification No. 172), which gave recognition to defined payroll cost changes incurred by agricultural carriers and payable during the principal 1980 harvest season. CTA contends that since then agricultural carriers have continued to experience

<sup>1/</sup> The herein decision will not deal with increases relative to to the transportation of cottonseed.

cost increases susceptible to precise enumeration in virtually every category of expense. Considerable cost increases result from higher wages and wage-related expense, including statutory payroll taxes and Workers' Compensation Insurance, affecting virtually every category of carrier employee. For example, the changes in the taxable wage base and rate for social security tax have risen to all-time highs. Effective May 1981, the total hourly labor and labor-related costs under the horticultural and agricultural collective bargaining agreement governing work performed under MRT 14-A will increase by 6.5 percent. This labor agreement is the least costly of the several prominent industry collective bargaining agreements, CTA contends. In addition, the level of rates in MRT 14-A are the lowest of any of the Commission's minimum rate tariffs and assertedly result in the inability of for-hire agricultural transportation to attract sufficient competent personnel to enable the carriers to furnish the full amount of required transport capacity.

The petition presents a model which summarizes the impact of the currently experienced cost increases in terms of a total percentage cost increase on an agricultural carrier's operation.

The model used performance factors taken from existing Commission studies on agricultural commodities and the current MRT 14-A levels of costs were incorporated to create a new datum plane. The 1981

<sup>2/</sup> The increase in the price of fuel is not included in this proceeding.

level of carrier costs were then flowed through using the same performance factors to develop the impact of these measured cost increases on the total agricultural carrier operational model. As shown in the model, such increases generally average 12 percent in total volume impact. CTA contends a 12 percent increase in rates and charges is needed to enable agricultural carriers to furnish the level of service mandated by Section 3661 of the Public Utilities Code which sets forth the State policy as being "...to establish such rates as will promote the freedom of movement by carriers of the products of agriculture...at the lowest lawful rates compatible with the maintenance of adequate transportation service."

These proposals will not significantly affect energy efficiency within the meaning of Sections 3502.1 and 3502.2 of the Public Utilities Code.

CTA requests that the requested rate relief be made effective no later than May 16, 1981 to be in time for the distribution of the California harvest.

The application was listed on the Commission's Daily Calendar of March 18, 1981. No objection to the granting of the petition has been received.

### Findings of Fact

- 1. The minimum rates and charges of MRT 14-A were last adjusted by Decisions Nos. 91831, 91843 and 92257 dated May 20, June 3, and September 16, 1980, respectively.
- 2. Since May 20, 1980 agricultural carriers have continued to experience cost increases in virtually every category of expense. These increases are not reflected in the current level of minimum rates.
- 3. The Commission finds that the present rates and charges in MRT 14-A should be increased, except those pertaining to the transportation of cottonseed, and the items shown as exceptions to the surcharge in Supplement 29, by approximately 12 percent.
- 4. The Commission finds that the increase, excluding fuel cost increases, and the exceptions shown in the paragraph 3 above, would increase MRT 14-A rates approximately 12 percent and would give agricultural carriers an operating ratio that is necessary to promote the freedom of movement of agricultural products.
- 5. The following order has no reasonably foreseeable impact on the energy efficiency of highway carriers.
- 6. An increase of approximately 12 percentage points in the rates and charges, as discussed in paragraph 3 above, in MRT 14-A is just and reasonable.

7. The Commission finds that increasing the surcharge, in paragraph 2 of Supplement 29, 12 percentage points will increase the involved carriers' annual gross revenue by \$9 million.

### Conclusions of Law

- 1. The petition should be granted as set forth in the ensuing order.
- 2. There is an immediate need for this rate relief due to the fact that the California distribution of harvest is due to commence shortly. Accordingly, this order should be made effective the date of signature.

### IT IS ORDERED that:

- 1. Minimum Rate Tariff 14-A (Appendix A to Decision No. 67397, as amended) is further amended by incorporating therein, to become effective May 16, 1981, the supplement and revised pages set forth in Appendix A, 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 No. 67397, as amended, are directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered by this decision.
- 3. Tariff publications required to be made by common carriers as a result of this order shall be filed not earlier than the effective date of this order and may be made effective not

earlier than the effective date of the tariff pages attached hereto on not less than five days' notice to the Commission and to the public; and the tariff pages which are authorized but not required to be made by common carriers as a result of this order may be made effective not earlier than the effective date of the tariff pages attached hereto 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 tariff pages incorporated in this order.

- 4. Common carriers, in establishing and maintaining the rates 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 rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.
- 5. 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 14-A.

C.7857, Pet. 173 T/FS

6. The Executive Director shall serve a copy of each of the tariff amendments on each subscriber to Minimum Rate Tariff 14-A. The effective date of this order is the date hereof. Dated MAY 5 1987, at San Francisco, California.

## APPENDIX A

### LIST OF SUPPLEMENT AND REVISED PAGES TO MINIMUM RATE TARIFF 14-A

SUPPLEMENT			30
THIRTEENTH	REVISED	PAGE	7
FOURTEENTH	REVISED	PAGE	12
TWELFTH	REVISED	PAGE	26
NINTH	REVISED	PAGE	26 <b>-</b> A
EIGHTH	REVISED	PAGE	27
TWELFTH	REVISED	PAGE	29
SEVENTEENTH	REVISED	PAGE	32
THIRTEENTH	REVISED	PAGE	34

(END OF APPENDIX A)

SUPPLEMENT 30

(Cancels Supplement 29)

(Supplements 8, 18, 23 and 30 Contain All Changes)

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MINIMUM RATE TARIFF 14-A

NAMING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION, IN BULK, OF

AGRICULTURAL COMPODITIES AND

RELATED ARTICLES

NAMED KEREIN

OVER THE PUBLIC HIGHWAYS WITHIN THE

STATE OF CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND

AGRICULTURAL CARRIERS

Decision No.

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### # APPLICATION OF SURCHARGE

 $\triangle$  Compute the amount of charges in accordance with the rates and rules of this tariff, and increase the resulting total amount as follows:

 by fourteen (14) percent on rates applicable to cottonseed,

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.

THE END

ø Change )
△ Change, neither increase )
nor reduction )
\*\* Eliminated )

Decision No.

UM RATE TARTEF 14-A	<del>-</del>		TWELFTH REVISED PACE.	<del></del>
SECTION 1RULES C	OF GENERAL AS	PLICATION (Conti	nued)	ITE
D	LAYS TO EQUI	:PMENT		
l. Except as provided in pa and two hours for unloading shall				
2. A period of four hours in ments of whole grain shall be allo				122
3. "Unit of Carrier's Equipmentailer, exclusive of motor to		a motor truck,	and/or trailer or	
4. Charges for loading and, authorized in paragraph 1 of this	or unloading	g time in excess ovided in Item 13	of free time 0.	
5. A charge of 50 per 100 per carrier on all shipments of whole unloaded or loaded after free time	grain on al	l units of carrie		
CHARGES FOR ACCES HELD AFT		CES AND FOR EQUIP HAS ELAPSED	TENT	
The charges provided in this in Item 110, and for time in exce 190.	item apply as of the fr	for accessorial see time specified	ervices, as provided in Items 120 and	
		Charg	es in Cents	{
	•	For First 30 Minutes or Fraction	For Each Additional 15 Minutes or Fraction	1
(a) For driver or other car employee, per man		1210	605	
(b) For unit of carrier's e motor truck, trailer or exclusive of motor trac	semitralle:	·,	55	
CHARGES FOR OBTA	Lining a weig	HMASTER'S CERTIF	CATE	
Whenever a carrier is requestertified weight from a public so for billing purposes or for other public weighmaster for this servithe actual amount paid by the carvice for each weight certificate requesting a certified weight.	ale, or where legal required the carrier to the	a carrier must of a carrier shall assess bublic weighnast	obtain a certified weight harge is assessed by the a charge of not less than or for the weighing ser-	
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SECTION	1RULES	OF	CENERAL	APPLICATION	(Continued)			I	TEM

## ADDITIONAL CHARGES FOR SPLIT PICKUP OR SPLIT DILIVERY SHIPPENT

### Weight of Component Part

	(Pounds)		
Over		Charge for Each Component Part (In_Cents)	170
٥	2,000	1275	-
2,000	4,000	1475	Ì
4,000	10,000	1670	1
10,000	20,000	1875	ļ
20,000	: معاد معمل وول ساور معمل و ساور به معمل مي معمل والي م ساور و	- 2065	1

## FIELD PICKUP SHIPMENT (Items 180 and 181)

- 1. Field pickup shipment means a quantity of property transported by one carrier for one debtor from a point in a single field or farm site.
- 2. A "single field or farm site" is that area devoted to the production of grain, rice or seed, or to the production of hay or related commodities. In no event shall field or farm site exceed 1 section (640 acres).
- 3. The point of origin of a field pickup shipment shall be the point in a single field or farm site nearest the point of destination.
- 4. Additional charges for loading a field pickup shipment shall be assessed as follows:
  - (a) For shipments subject to the rates provided in Items 300, 301 and 400, at the charges provided in said items. (See Exception)

EXCEPTION. -- No charge shall be applicable to any shipment of baled hay, fodder or straw loaded from a single stack.

(b) For shipments subject to the rates provided in Item 550 and in Section 6 (except cottonseed), add 6-3/4 cents per 100 pounds to the rate otherwise applicable. For shipments of rice subject to the rates provided in Item 550, add 5-1/4 cents per 100 pounds to the rate otherwise provided. (See Exception)

EXCEPTION.=-No charge shall be applicable to any shipment moving from a permanent storage facility with a minimum storage capacity of 52,000 pounds. As used herein, permanent storage facility means a gin warshouse, silo, bin, tank or slab, permanently installed. It must be equipped with operable motorized loading facilities or with gravity loading devices.

5. A single shipping document for the entire field pickup shipment shall be issued prior to or at the time of the first pickup. Such shipping document shall show the name of the debtor, the name of the consignor, the name of the carrier, point of origin, point of destination, date, kind and estimated quantity of property to be transported.

(Continued in Item 181)

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180

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.

# SECTION 3-DISTANCE COMPODITY RATES (In Cents Per 100 Pounds)

ITEM

HAY, FODDER (Bean, Came, Corm or Pea), STRAW, or WOOD SHAVINGS (Gmed for Bedding), in machine pressed bales (See Note)

	(1 MIL			MINIMUM WEIGH	פמאססא את דו		
Ove		But Not Over	20,000	20,000	30,000	40,000	
	0	3	74	46	29	25 27	_
	3	5	75	47	31	27	- 1
	5	10	78	50	33	29	- }
:	10	15	80	52	33 36	29 31	- 1
:	15	20	83	55	38	34	
:	20	25	86	58	40	35	1
	25	30	90	62	43	39	- 1
	30	35	91	64	46	40	
	35	40	95	67	47	43	
	40	45	98	70	50	47	ł
,	45	50	102	72	52	48	}
	50	60	209	79	58	54	1
	60	70	113	84	60	54 57	1
	70	80	117	90	63	60	1
	80	90	122	95	66	63	
	90	100	127	101	68	66	}
1	00	110	132	109	72	68	- 1
ī	10	120	137	115	75	70	- 1
ī	20	130	141	119	70	72	1
ī	30	140	145	119 123	79 81	72 74	
1	40	150	149	127	84	76	1
	50	160	155	132	88	78	-
- 7	60	170	1750	137	91	80 '	- 1
- 7	70	180	159	142	95	83	- 1
	80	190	167	146	98	86	
1	.90	200	172	150	101	88	1
5	00	220	178	136	106	95	I
2	20	240	184	161	113	99	
	40	260	190	167	11.7	104	- 1
	60	280	199	174	123	110	
2	80	300	207	179	127	116	1
	100	325	215	189	134	121	- 1
ว	25	350	224	196	139	121 127	
,	150	375	233	206	245	132	ł
3	75	400	240	213	150	137	
4	00	425	247	219	156	142	
	25	450	255	228	161	148	-
7	150	475	264	236	167	153	Ţ
	75	300	272	243	174	159	
	500	525	280	251	179	163	- 1

<sup>(1)</sup> See Item 90.

NOTE. -- An additional charge of 9h cents per 100 pounds shall be assessed for loading field pickup shipments as defined in Item 180, other than when loading is performed by a power operated hay loader.

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Rates in this column do not apply for the transportation of hay between points for which rates are provided in Item 400.

# SECTION 3--DISTANCE COMMODITY RATES (In Cents Per 100 Pounds)

ITEM

HAY, FODDER (Bean, Came, Corn or Pea), STRAW, or WOOD SHAVINGS (Used for Bedding), in machine pressed bales (See Note)

	MINIMUM WEIGHT IN POUNDS					(1) Milli
	40,000	30,000	20,000	Less than 20,000	But Not Over	Over
_	167	105	262	288	575	525
j	174	192	270	298	575	550
- 1	178	197	279	306	600	575
1	181	203	286	313	625	600
1	185	208	294	322	650	625
1	100	334	302	331	675	650
	190	214				675
l	196	219	311	338	700	700
ĺ	203	226	320	346	725	
- 1	208	233	331	356	750	725
	214	239	341	363	775	750
l l	219	243	351	371	800	775
	229	251	363	382	850	800
}	236	258	371	39.5	900	850
	242	266	381	406	950	900
1	248	275	395	41.8	1,000	950
)		1 -/5		,	-,	, ,
1	255	282	403	431	1,050	1,000
ļ	268	290	413	442	1,100	1,050
	272	298	422	454	1,150	1,100
1	279	306	433	465	1,200	1,150

- (1) See Item 90.
- (2) Rates in this column do not apply for the transportation of hay between points for which rates are provided in Item 400.

NOTE.--An additional charge of 95 cents per 100 pounds shall be assessed for loading field pickup shipments, as defined in Item 180, other than when loading is performed by a power operated hay loader.

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MINIMUM RATE TARIFF 14-A

	TION 3DISTANCE COMMODITY RATES (In Cents Per 100 Pounds)		ITEM
	LOCAL DELIVERY SERVICE		
and straw in machine pressed point of destination of the	ly only for local delivery service d bales, when distance between poi shipment does not exceed 15 const may not be used in combination wi	nt of origin and cructive miles.	
PROM	<u>70</u>	RATE (See Note)	310
PROM Point of growth or storage	<u>ro</u> Point of storage or  Point of use in  Animal Humbandry		

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SECTION 4--TERRITORIAL COMMODITY RATES
(In Cents Per 100 Pounds)

ITEM

HAY, in machine pressed bales (See Note 2)

Minimum Weight 40,000 Pounds

(1) FROM:	RATES (See Note 1) (1) TO POINTS IN:				
	Los Angeles- Artesia Territory	Los Angeles- Artesia (San Fernando) Intra- Territory	San Diego Territory		
Barstow Territory	77 76				
Coachella Valley Territory	117		83 		
Imperial Valley Territory	92		76	1	
Merced Territory	- 68 132	54		1	
North Kern Territory	94				
Palo Verde Territory	101			1	
Salton Sea Territory	90		83	<b>│</b> ∧	
South Kern Territory	81 102			40	

(1) See Section 2 for description of territories.

NOTE 1 .--

- (a) The provisions of Items 120, 130 and 190 do not apply in connection with rates in this item.
- (b) Shipments into either the Los Angeles-Artesia or San Diego Territory, for which transportation charges are assessed upon a basis of a minimum weight of 30,000 pounds or more, may, upon order of consignee or consignor, be stopped once within either the Los Angeles-Artesia or San Diego Territory and, under the rates set forth above, be held in transit without being unloaded from carrier's equipment pending subsequent delivery.
- (c) When upon order of consignee or consignor, a shipment is stopped within either the Los Angeles-Artesia or San Diego Territory and held in transit without being unloaded from carrier's equipment, 48 hours free time (computed from the first 7:00 a.m. after time of arrival at point where shipment is held) will be allowed for furnishing to the carrier instructions to deliver the shipment to the point of destination where it is to be unloaded. The free-time period will be 96 hours, if the point of destination is located outside the territory within which the shipment was initially held in transit. A charge of 556.70 will be assessed for each 24-hour period, or fraction thereof, that the carrier's equipment is detained subsequent to the free-time period specified herein. In computing time in accordance with these provisions, Sundays and legal holidays will be excluded.

NOTE 2.==An additional charge of 95 cents per 100 pounds shall be assessed for loading field pickup shipments as defined in Item 180, other than when loading is performed by a power operated hay loader.

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MINIMUM PATE TARTER 14-A

# SECTION 5--DISTANCE COMMODITY RATES (Continued) (In Cents Per 100 Pounds)

ITEM

Grain, Rico, Grain Products, Animal or Poultry Feed, Seeds, and Related Articles, as described in Items 515, 520, 525, and 530, in bulk or in bins or in containers otherwise specified.

د صبر <sub>د</sub>	CLES COC NOTC 1)  CLES CINIMUM WEIGHT IN POUNDS				┨
MILL	5 No. 100	<u></u> X	NATION WEIGHT IN PC	52,000	┥
Over	But Not Over	23,000	40,000	(See Notes 3 & 4)	
•	3	215	17	145	
3	5	234	18	15Å	1
5	10	251/3	195	17	
10	15	271	21	īŝ	
3.5	55	26			1
15	20	30	22	19	Į
20	25	31	251	20	
25	30	33	275	235	}
30	35	37	30	26	Ì
35	40	39	31	275	
40	45	40	23	28	
40	45	40	33	20	1
45	50	43	37	30	
50	60	47	40	34	
60	70	50	43	35	
70	80	51	46	38	
80	90	56	47	39	1
₽V	90	30	*′	37	
90	100	61	51	41	
100	110	65	57	43	1
110	120	70	58	46	1
120	130	72	l žž	48	1
		75	62 67	30	1
130	140	/5	6/	50	١,
140	150	79	70	52	100
150	160	82	73	55	
160	170	86	77	58	1
170	180	88	80	59	١ ١
				62	-
180	190	92	83	62	-
190	200	97	86	65	1
200	220	102	92	70	
220	240	109	97	75	1
240	260	110	102	79	
		112 117		/7	- 1
260	280	11/	108	81	
280	300	124	112 119	87	
300	325	130	119	94	Į
325	350	137	123	101	
350	375	141	130	106	1
375	400	149	134	112	
400	425	155	137	119	
425	450	157	139	124	- {
450	475	161	145	131	
475	500	168	150	137	-
		WAA	250	<i></i>	- 1
	ances over				
	miles or		1		- 1
	thereof	6	4	4	

NOTE 1.--On all Field Pickup Shipments, as defined in Item 180, add the charges provided therein to the rate otherwise applicable.

(Continued on Pollowing Page)

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Correction

SECTION	6DISTANCE	COMMODITY	RATES	(Continued)
	(In Cents	Per 100	Pounds)	

ITEM

SEEDS, vix.: Flax or Safflower.

<u> MILES</u>		XATES	<u> </u>	T.F.S	RATES	
Over	But Not Over		Over	But Not Over	W179	
0 3 5 10 15	3 5 10 15 20	144 154 17	130 140 150 160	140 150 160	50 52 55 58 59	
15	20	18	170	170 180	58 59	
20 25 30 35 40	25 30 35 40 45	20 235 26 275 28	180 190 200 220 240	190 200 220 240 260	62 65 70 75 79	\$ 600
45 50 60 70 80	50 60 70 80 90	30 33 35 37 39	260 280 300 325 350	280 300 325 350 375	81 87 94 101 106	
90 100 110 120	100 110 120 130	41 43 46 48	375 400 425 450	400 425 450	112 119 124 (1)	

(1) Add to rate for distances over 450 miles, 4 cents per 100 pounds for each 25 miles or fraction thereof.

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Correction