Resolution No. STD- 1125

TRANSPORTATION DIVISION TARIFF & LICENSE BRANCH Tariff Section

# Before the Public Utilities Commission of the State of California

## RESOLUTION ORDERING DISPOSITION OF SPECIAL TARIFF DOCKET REQUESTS

Requests as identified hereinalter have been filed on the Special Tariff Docket for authority to make tariff changes for which permission of the Commission is requisite under provisions of the Public Utilities Code or orders of the Commission. Due consideration has been given to the representations contained in the verified requests, and good cause appearing, the following findings and order are made:

The Commission finds that the following requests are justified and should be granted subject to conditions specified in the orders which are attached hereto and by this reference made a part hereof:

Requert and Order No.	Request Filed By:
STD-9961	Annadillo Trucking, Inc.
STD-9962	California Trucking Association and National Motor Freight Classification Inc., Agent

### Resolution No. STD-1125 (Concluded)

The Commission finds that the following requests do not contain sufficient justification for the authority sought, and therefore should be denied without prejudice:

Request and Order No.

**Request Filed By:** 

NONE

The Commission finds that the following requests are of a nature not suitable for processing on the Special Tariff Docket, and therefore should be dismissed without prejudice:

Request and Order No.

**Request Filed By:** 

NONE

IT IS ORDERED that the aforesaid requests are granted, denied or dismissed, as the case may be, in accordance with the findings hereinbefore set forth, and as specified in the orders which are attached hereto and by this reference made a part hereof.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California, held on the 11th day of May , 1988, the following Commissioners voting favorably thereon.

STANLEY W. HULETT President DONALD VIAL FREDERICK R. DUDA G. MITCHELL WILK JOHN B. OHANIAN Commissioners

Executive Director of the Public Utilities Commission of the State of California

38837-768 12-78 233 68 P

### Order No. STD - 9962

Before the Public Utilities Commission of the State of California

Request filed by:

California Trucking Association and National Motor Freight Classification, Inc., Agent

Special Tariff Docket Request Numbered Same as Order Number Aboye,

In conformity with the findings and order made by the Commission in a resolution entered this day, the request, copy of which is attached hereto and by this reference made a part hereof, is granted, subject to the following conditions:

The authority herein granted is limited strictly to its terms, and shall expire unless the tariff provisions authorized herein are published and filed in the San Francisco office of this Commission within ninety days after the date hereof. The item of tariff or supplement issued pursuant to this order shall bear reference to this order in substantially the following form:

This order issued Hay 11, 1988, by the Public Utilities Commission of the State of California by the adoption of the resolution of which this order is a part.

Executive Director of the Public Utilities Commission of the State of California

Order No. STD- 9961

Before the Public Utilities Commission of the State of California

Request filed by:

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ARHADILLO TRUCKING, INC.

Special Tariff Docket Request Numbered Same as Order Number Above.

In conformity with the findings and order made by the Commission in a resolution entered this day, the request, copy of which is attached hereto and by this reference made a part hereof, is granted, subject to the following conditions:

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The authority herein granted is limited strictly to its terms, and shall expire unless the tariff provisions authorized herein are published and filed in the San Francisco office of this Commission within ninety days after the date hereof. The item of tariff or supplement issued pursuant to this order shall bear reference to this order in substantially the following form:

"Authorized by Cal. P.U.C. Order No. STD-9961

This order issued May 11, 1988 , by the Public Utilities Commission of the State of California by the adoption of the resolution of which this order is a part.

Executive Director of the Public Utilities Commission of the State of Cabiornia

State of California

# Memorandum

Date : Hay 4, 1988

 The Commission (Meeting of May 11, 1988)

Walker. Tariff & License Branch

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From : Public Utilities Commission-Son Francisco -- Robert E.

File No.:

To

Subject: (A-)

## SPECIAL TARIFF DOCKET RESOLUTION NO. 1125

## STD - 9961 - Armadillo Trucking, Inc.

Transferee of a cement certificate requests authority to amend the scope of its existing Local Freight Tariff No. 1 by adding the new counties acquired through the transfer, in lieu of adopting the bureau tariff participation of transferor.

STD - 9962 - California Trucking Association and National Motor Freight Traffic Association, Inc., Agent

Requests authority for the adoption of Supplement 2 to the National Kotor Freight Classification NMF 100-0 concurrent with the national effective date of May 15, 1988 and to make such provisions applicable to the tariffs of highway common carriers and express corporations which participate in and are listed in the classification.

## Recommended Denial

None

# Recommended Dismissal

None

### BEFORE THE PUBLIC UTILITIES COMMISSION

### OF THE STATE OF CALIFORNIA

Application of Armadillo Trucking, ) Inc., (T-155019) for authority to ) Application publish rates of transferor in Local ) SID Docket No. <u>996</u>. Freight Tariff No. 1 of Armadillo ) Trucking, Inc. containing rates and ) charges for the transportation of ) cement. )

### APPLICATION

The application of Armadillo Trucking, Inc., hereinafter referred to as Armadillo or applicant, respectfully shows:

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Applicant is a corporation. Applicant's mailing address is Post Office Box 3927, Pinedale, California 93650. Applicant's telephone number is (209) 449-1202. A certified copy of applicant's Articles of Incorporation is provided as Attachment I.

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Correspondence and communications in regard to this application are to be addressed to:

Rod Logan Sam Hiles, Inc. 2124 F Street, Suite B Bakersfield, California 93301 Telephone (805) 324-1663

#### III

Applicant is a cement carrier with authority to transport as a common carrier portland or similar cements, in bulk or in packages, loaded substantially to capacity of any motor vehicle, either alone or in combination with time or powdered limestone, from any and all points of

-1-

SPID #4

origin to any and all points within the following counties: Kern, Fresno, Hadera, Hariposa, Herced, Solano, Tulare, and Tuolumne. Local Freight Tariff No. 1 of Armadillo Trucking, Inc. was filed Hay 8, 1987, to be effective Hay 21, 1987, and contains rates for the transportation authorized. Applicant also holds permitted authority issued by the Commission under CAL T-155019.

Concurrent with the filing of this application, applicant has filed with the License Section an application to transfer cement carrier authority for shipments transported to the Counties of Alameda, Butte, El Dorado, Humboldt, Lake, Harin, Napa, Placer, Sacramento, San Francisco, San Hateo, Santa Clara, Shasta, Yolo and Yuba from Lopes Trucking Service, Inc. (T-110663).

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General Order 117-A would require Armadillo to adopt the tariff publication of Lopes Trucking, Inc. upon the approval of the transfer of operating rights by the Commission. Applicant hereby seeks authority to publish rates for the transportation of cement to Alameda, Butte, El Dorado, Humboldt, Lake, Harin, Napa, Placer, Sacramento, San Francisco, San Hateo, Santa Clara, Shasta, Yolo and Yuba Counties at the same level of rates now published by transferor, Lopes Trucking Service, Inc., with such rate publication to be made in Local Freight Tariff No. 1 of Armadillo Trucking, Inc.

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The purpose of such a request is to simplify applicant's tariff filings, not to effect any increase or reduction in charges. Without

-2-.

such authority, applicant would need to become a member of Pacific Notor Tariff Bureau, Inc. in order to adopt the tariff participation of Lopes Trucking Service, Inc. With the grant of the authority sought in this application, applicant will be able to provide rates for all its cement carrier transportation service in its alreadyexisting individual tariff.

#### ΥI

Applicant's tariff contains rates at the same level as those currently in effect for the transferor and would have the same rules applicable to these rates. Applicant intends to amend Local Freight Tariff No. 1 to the degree necessary to reflect the rate level of transferor should such amendments be necessary. In no event would the rate changes resulting from the publication of the additional operating authority in Local Freight Tariff No. 1 instead of transferor's tariff amount to as much as one percent of the carrier's annual revenue generated from the additional operating authority.

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This is not a major action under Sections 3502.1 and 3502.2 of the California Public Utilities Code.

#### VIII

Applicant alleges that the cost of reproducing and distributing copies of this application to all carriers operating in the state of California would be excessive and that adequate notice of the intent of applicant will be accomplished through routine publication in the Commission's Daily Transportation Calendar. Therefore, in order to

-3- -

secure just, speedy and inexpensive determination of the issues present, waiver of Rule 21F of the Rules of Practice and Procedure is respectfully requested under Rule 87 of the Rules of Practice and Procedure. Applicant knows of no opposition to this application. A copy of this application will be served by first-class mail to any party upon request.

WHEREFORE applicant prays that relief sought by this application be granted; and that the Commission issue its <u>ex parte</u> order permitting applicant to publish in its individual tariff the rates of transferor, Lopes Trucking Service, Inc. for the transportation of cement to Alameda, Butte, El Dorado, Humboldt, Lake, Harin, Napa, Placer, Sacramento, San Francisco, San Hateo, Santa Clara, Shasta, Yolo and Yuba Counties; that increases resulting in an increase in applicant's gross revenue as a highway common carrier of not more than one percent be authorized; that said order provide that the tariff amendment be made effective within ten days of its publication; that departure from Sections 460 and 461.5 of the Public Utilities Code be authorized to the extent necessary to apply the increase granted; and that the Commission grant such other order and further relief as may be reasonable and proper.

Executed on . 2.11.88 ., at Pinedale, California.

Gregg R. Underdown, President ARHADILLO TRUCKING, INC. P. O. Box 3927 Pinedate, CA 93650

-4-

### VERIFICATION

I am an officer of the applicant and am authorized to make this Verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to matters therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on . 2.11.88 ., at Pinedale,

California.

By

Gregg R. Underdown, President ARHADILLO TRUCKING, INC. P. O. Box 3927 Pinedale, CA 93670

# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

## SPECIAL TARIFF DOCKET REQUEST FOR THE ADOPTION OF SUPPLEMENT <u>2</u> THE GOVERNING CLASSIFICATION NNF 100-0

SPECIAL TARIFF DOCKET NO. 9962

The request of CALIFORNIA TRUCKING ASSOCIATION AND NATIONAL MOTOR FREIGHT TRAFFIC ASSOCIATION, INC., AGENT, whose post office addresses are:

California Trucking Association 1251 Beacon Boulevard West Sacramento, CA 95691

and

National Motor Freight Traffic Association, Inc., Agent 2200 Mill Road Alexandria, Virginia 22314

Communications and correspondence in regard to this filing are to be addressed to:

Charles D. Gilbert California Trucking Association 24301 Southland Drive, #309 Hayward, CA 94545

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Respectfully shows:

Highway common carriers and express corporations are operating as common carriers pursuant to the authority of the Commission and in accordance with tariffs filed with this Commission; which tariffs are also subject to and governed by the National Motor Freight Classification NMF 100-0 and supplements thereto.

An order is requested for the adoption of Supplement 2 to the National Motor Freight Classification NHF 100-0 and to make such provisions applicable to the tariffs of highway common carriers and express corporations, which participate in and are listed in its Classification under authority of power of attorney. It is further requested that such authorization be concurrent with the national effective date of \_\_\_\_\_ Hay 15, 1988 on one day's notice; that all common carriers be authorized and directed to establish such changes as may be prescribed in class and commodity rates and charges in connection with the transportation of exempt commodities; that common carriers be authorized to depart from Sections 460 and 461.5 of the Public Utilities Code and appropriate long and short haul provisions of the Constitution of the State of California to the extent necessary to carry into effect such changes; that all such changes be approved and adopted for application with the various tariffs; that any related revisions in numbering, referencing or format in the various tariffs, incidental to such changes, be authorized and established; and for such other and further orders as may be deemed reasonable and proper.

### 111

The governing classification is periodically revised to correct technical inadvertencies and omissions that have been discovered in the publication of prior supplements and in order to keep the publication responsive to the current conditions and needs of commerce in the transportation of property by highway carriers. The procedures available to shippers and carriers to initiate such revisions and to otherwise protect their interests are known to the Commission and to such parties. Such procedures provide parties with

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-2-

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"...fair and full opportunity for public hearings for determination of changes and revisions as required." (Decision 74310 dated June 25, 1968, and as revised and amended by Decision 87498 dated June 21, 1977). To properly reflect intended results following such processes, the National Motor Freight Traffic Association, Inc., Agent, has authorized revisions which are published in supplemental form set forth in Exhibit A. This supplement is scheduled to take effect <u>May 15, 1988</u> unless otherwise provided therein, for application to tariffs covering areas other than California. The purpose of this filing is to obtain the authority necessary to make such provisions applicable to tariffs subject to jurisdiction of the California Public Utilities Commission and to promote the national uniformity and standardization in billing and collection practices found appropriate and desirable in the Commission's Decision 74310.

Attached hereto and by this reference made a part of this filing are the following exhibits detailing such revisions:

> EXHIBIT A - Copy of Supplement <sup>2</sup> to National Motor Freight Classification NMF 100-N

EXHIBIT B - Summary of changes

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Certain changes in rates, ratings rules, regulations or charges will result from the adoption of Supplement 2. A summary of such changes, including an explanation of the reasons for the proposed changes, is set forth in Exhibit 8.

In addition to the justification of proposals set forth herein, Applicant refers to the facts and allegations set forth in Petition 401, as though reiterated herein. Said filings set forth the broader purposes and justifications for the program of classification revisions which will be

-3-

implemented by approval of this instant filing, subject to the protection restriction suggested in the aforecited filing.

In addition, the Commission through its Executive Director, has directed that classification changes be processed under the procedure and format of General Order 109 (see letter dated June 21, 1977). This filing is made in response to such directive.

I hereby certify, under penalty of perjury, that the foregoing is true correct.

JOEL D. ANDERSON, Vice President

Dated at 1251 Beacon Boulevard, West Sacramento, California 95691 this 15th day of April \_\_\_\_\_, 1988\_\_\_.

# EXHIBIT A

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(Consists of 3 pages)

# SUPPLEMENT 2

TO

# NATIONAL MOTOR FREIGHT CLASSIFICATION

NMF 100-0

#### SUPPLEMENT 2 TO. NMF 100-0 **ICC NMF 100-0** FMC-F-28 NDPSC 28 ta DOT 25 DIV OT No 25 SDPUC 25 AP\$0 26 Mont PSC 25 ATC 28 KCC 27 PUBNS 25 TESC 28 PUCO-NHE 100-0 Cal FUC 27 KY 00T 25 NPSC 26 RCT 28 PUC Colo 25 LPSC 26 PSCN 26 CC OkTa 26 PSCU 27 Conn PUC-MF 28 MF-YCC 26 HOT Man 26 NHOOT 25 PUC Ore 25 NF-PSC Md 26 Freight Pa PUC 27 GP\$0 25 PUCNJ 26 WN T 25 LPUC 28 MOPU No. 3 SCCNM 26 PTCB 28 MF-PSC-W Va 28 MF-ILL CC 28 MPSC-NWF 100-0 DOT-NY-MT 25 RIDPU 3 Wyo PSC 25 MTRB 25 PSCSC 26 NCUC 25 IURÓ TR 26 MC 26 (Supplements 1 and 2 contain all changes) NATIONAL MOTOR FREIGHT TRAFFIC ASSOCIATION, INC., AGENT CLASSES AND RULES APPLYING ON FREIGHT TRAFFIC COVERED BY TARIFFS **GOVERNED BY THIS CLASSIFICATION** AS SUCH TARIFFS MAY PROVIDE NATIONAL MOTOR FREIGHT CLASSIFICATION **ISSUED APRIL 15, 1988** EFFECTIVE MAY 15, 1988 (Except as otherwise provided herein) The provisions published herein will not, if effective, result in an effect on the quality of the human environment. **ISSUED BY** MARTIN E. FOLEY, Issuing Officer 2200 Mill Road Alexandria, VA 22314 CAmerican Trucking Associations, Inc., 1988 Inquiries concerning subscriptions to this publication should be addressed to the ATA Traffic Department, 2200 Mill Road,

Alexandria, VA 22314 (Subscription price per copy — \$44.55).

(Correy Frinting Company, St. Louis, MO)

		SUPPLEMENT 2 TO MMF 100 0				==-71
		CALIFORNIA INTRASTATE ONLY				
Supplement	s 1 and 2 contain all changes.					
The provisions of		NMF 100-0, Cal PUG 27, were authorized by Cal PUG Order No.	Order Issued			_
Supptame	NWF 100 0					
		INDEX TO ARTICLES				
	ARTICLE Item	ARTICLE	ART	CLE		lie@.
Refer to th	e Index to Articles appearing e	on page 8 in Supplement 1 and add the follow	îng:	、		
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д72000-8 д72002-8 д72004-8	in boxes. Sodium (Soda): Chloride (Common Salt), NOI, in packages, or or over In sing'e-serving packet Loose or in bulk, TL only NOTE—Also applies on sodium weight of borax, disodium lumber, and not as a woo FOOD STUFFS GROUP: Article named in other more and 72008, as descri NOTE—Unless otherwise spi beverages or beverage per NOTE—Commodities other th heading, when packed in boxes' classes when er Package must consist of exceed 14 pounds. This contained in glass or eart paper or paperboard bas or plastic film totalling in containers. Ends and ove seams and ends must be	in fused or machine pressed blocks weigh a fused or machine pressed blocks weigh a chloride (common sail), containing not in ex- a phosphate and sodium subphate, suitable only a preservative. es consist of Foodstuffs, Beverages or Bevera a specific groups, see Notes, items 72002, 7 bed in items subject to this grouping. ecified in individual items, provisions apply reparations, other than frozen. han frozen or requiring refrigeration, fisted rectangular inner fibreboard containers will 1 colosed in paper wrappers or in plastic film only one layer or tier of inner containers and g packaging is permissible only on those com henware or otherwise fragile containers. Wrap is weight not less than 126 pounds per 500 sh ot less than 2 mils in thickness, and must prices eams must be firmly glued or when pl	ing each 50 pounds cess of 8 percent by y for curing or drying ge Preparations, not 2004, 72005, 72007 only on foodstuffs, under this generic be subject to the fin n overwrap bundles, ross weight must not nodities that are not gers must consist of neets 24 x 36 inches totally enclose inner astic film is utilized, polities prepared by a	55 70	35 45 35	45 30 50
A12007-B	weight of ingredients pre the freezing-dehydration prepared by the freezing- NOTE-Commodities listed un	pared by the freezing-dehydration process. P process, or containing in excess of 10 pe dehydration process, will be classed per item i der this generic heading, when tendered for s 2445, 2448 or 2452, are to be classified under	roducts prepared by incent of ingredients (6850, hipment in Packages			
	NOTE—Commodities listed un 1500, are to be classified in boxes. When unitized o be accepted for LTL ship completed package may errosed beight of the innu-	der this generic heading, when tendered for i under the same provisions that apply when te nrand secured to pallets by stretch or shrink i ment in Package 1500 modified so that the i have end openings. End openings must not	itim, commodities will film enclosure of the			
4475100-A Sub 1 Sub 2	to signife serving parkets i	ackage 2407		77% 70	65 40	24 30

For explanation of abbreviations and other reference marks, see last page of Supplement 1.

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### SUPPLEMENT 2 TO NMF 100-0

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Item	ARTICLES	SCLASS	E\$ TL	MW 1
A 170700 A	ROOTS OR SPICES:			
1+171040-A Sub 1	Pepper: Cround la significación partiels in boxes	176	100	12
Sub 2	boxes of Package 2358	10	40	30
A 197240 B	WHEELS OR WHEEL BLANKS: Wheels, toy vehicle, rubber or composition, other than hollow molded, in boxes	70	37%	30
	Supplement NOTICE—The provisions of Rem 197000-A shown on page 19 of Supplement Lare hereby postconed FROM May 1, 1988 TO June 21, 1988.			Í
<b>國197597 D</b>				
Sub 1		100	65	24
Sup 5	With mounted tires	70	40	30

 $\Upsilon$  - Effective May 1, 1988. Issued on one day's notice under authority of 49 CFR Part 1312.39(e). [3] - Effective June 21, 1988, except as noted.

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For explanation of abbreviations and other reference marks, see fast page of Supplement 1.

## EXHIBIT 8

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(Consists of 1 pages)

SUMMARY OF CHANGES

## IN

# NATIONAL MOTOR FREIGHT CLASSIFICATION

NMF 100-0

AS SET FORTH

IN SUPPLEMENT 2

(EXHIBIT A hereof)

Rei Appendix to Supplement 2 to NYF 100-0

## Lodies and Centlement

Listed below is a summary of changes being proposed in the supplement. The symbol "A" indicates a proposed new item. Following the summary list will be found an explanation of each change or addition bether with the National Classification Committee's reasons for the proposed change or addition. For simplicity the following abbreviations are utilized: LTL (Less Than Truckload); TL (Truckload); HY (Minimum Weight Factor); AQ (Any Quantity); PCF (Pounds Per Cubic Foot).

46260	75100	171040	197560	197597
40200	75100	111040	191000	17(3)(

Item 46260 is amended by the addition of a new sub 2 reading, "Sodium Chloride (Common Salt): In single serving packets in boxes." The classes are 70 Less Than Truckload (LTL), 45 Truckload (TL), 30,000 lbs. minimum weight (HW). These commodities are currently subject to sub 1 of item 46260 with classes of LTL 55, TL 35, MY 45.

The approved classes in new sub 2 are reflective of the following transportation characteristics. Densities of these products range from 11.16 to 18.75 pounds per cubic foot (PCF) with an average density of 13.14 PCF. These commodities are packaged in fibreboard boxes measuring less than 1 cubic foot. The boxes are palletized when moving from production facilities and would require the use of mechanical equipment in loading and unloading. Stowability of these commodities does not present any significant problems. Values of these commodities do not exceed \$3.00 per lb.

This change is the result of carrier action on Docket 881, Subject 2.

Item 75100 is amended by providing an additional sub reading, "Sweetening Compounds, other than sugar base and other than syrups: In single serving packets in boxes." The approved classes are 77 1/2 Less Than Truckload (LTL), 55 Truckload (TL), and a 24,000 lb. minimum weight (MM).

This item applies on sweetening compounds, with the most easily recognized products being "Equal" and "Sweet & Low." The approved classes are reflective of the following transportation characteristics. Densities range from 5.63 to 18.60 pounds per cubic foot (PCF) with an average density 12.00 PCF. These cormodities are packaged in fibreboard boxes measuring less than 1 cubic foot. When moving from production facilities, the products would generally be palletized, however, beyond such locations hand loading and unloading would be required. There were no unusual stowability problems found with respect these commodities. Values of these commodities range from \$1.30 to \$2.70 per lb.

This change is the result of carrier action on Docket 881 Subject 1.

Item 171040 is amended by the addition of a new sub reading, "Pepper, Ground, in single serving packets in boxes." The approved classes are 175 Less Than Truckload (LTL), 100 Truckload (TL), 12,000 lbs. minimum weight (NW). These corrodities were previously moving subject to classes 70 LTL, 40 TL, 30 HW.

The amended classes are reflective of the following transportation characteristics. Densities of these products range from 3.00 to 10.3 pounds per cubic foot (PCF) with an average of 5.47 PCF. The products are shipped in fibreboard cartons measuring less than one cubic foot and weighing between 2 and 4 lbs. each. When moving from production facilities the products would generally be palletized and would require the use of mechanical equipment in loading and unloading. Beyond such locations the boxes may be unloaded and loaded manually. Values of these commodities do not exceed \$5.00 per lb.

This change is the result of carrier action on Docket 881 Subject 3.

Item 197560, "Wheels, toy vehicle, rubber or composition," and item 197597, "Wheels, HDI or Wheel Blanks; plastic, not laminated nor reinforced with fibre, paper or cloth," were proposed to be amended by the addition of the phrase, "other than hollow molded," in the interest of tariff clarification. However, these actions have been appealed and will be considered by the National Classification Committee on May 3, 1988.

The effective date of these changes, which are the result of Docket 882, Subject 5, is postponed from May 1, 1988 to June 21, 1988.

Respectfully submitted, NATIONAL MOTOR FREIGHT TRAFFIC ASSOCIATION, INC.

Martin E. Foley, Issuing Of Moer National Motor Freight Classification