

Decision No. 31202

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment
of maximum or minimum, or maximum and
minimum rates, rules and regulations
of all common carriers as defined in
the Public Utilities Act of the State
of California, as amended, and all
Highway Carriers as defined in Chapter
223, Statutes of 1935, as amended, for
the transportation, for compensation
or hire, of any and all commodities.

Case No. 4246

ORIGINAL

APPEARANCES

A list of the appearances in this proceeding
is contained in Appendix "C" of the Proposed
Report of Examiners Howard G. Freas and Wm.
H. Gorman, issued August 10, 1938

BY THE COMMISSION:

O P I N I O N

This proceeding involves rates for the transportation of property throughout California by radial highway common carriers, highway contract carriers and common carriers.¹ Here, however, the Commission is concerned principally with a proposal of the rail lines to establish reduced carload rates for the transportation of sugar from the San Francisco Bay district to the Los Angeles Basin area and with the establishment of minimum rates for similar transportation by highway carriers.

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This proceeding was instituted for the purposes, among others, of establishing or approving just, reasonable and nondiscriminatory minimum rates, charges, classifications, rules and regulations for radial highway common and highway contract carriers and just, reasonable or sufficient minimum rates, charges, classifications, rules and regulations for common carriers, for the transportation of property throughout California and for accessorial services incident to such transportation. Evidence relating to the transportation of property generally has already been received during a series of public hearings, and a proposed report dealing with those matters was issued on August 10, 1938.

Public hearings were held before Examiner W. S. Johnson at San Francisco on July 8, 11, 12 and 18, 1938, and the matter was argued orally before the Commission en banc on July 25, 1938.

In order to convey a clear understanding of the problem confronting the Commission, it will be necessary to describe briefly the historical background of the present rate structures of truck, rail and vessel carriers and to touch upon the routing and sales policies observed by shippers under past rate adjustments.

There are two principal shippers of sugar in the San Francisco Bay district - the California-Hawaiian Sugar Refining Corporation and the Western Sugar Refinery. The former company operates a cane sugar refinery at Crockett and maintains storage stocks at San Francisco; the latter operates a cane sugar refinery at San Francisco. Both supply their southern California trade from stocks maintained at Los Angeles and Los Angeles Harbor. Prior to 1934 they shipped the bulk of their sugar destined to points in the Los Angeles Basin through Los Angeles Harbor. They employed vessel carriers for the transportation from Crockett (in lots of 300 tons or more) and San Francisco to Los Angeles Harbor, paying a rate of $12\frac{1}{2}$ cents,² and distributed from the Harbor (either from the vessels or from storage stocks) by truck or rail. About May 1934, Western Sugar Refinery discontinued the use of vessel service as to the bulk of its traffic, because of labor disturbances then prevalent, and commenced to ship through by rail, paying the rail rate of 25 cents, minimum weight 40,000 pounds, then in effect. However, California-Hawaiian continued to use vessel service until about March 8, 1937, on which date the vessel carriers increased their rate to 17 cents.³ Thereafter, California-Hawaiian used vessel carriers

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All rates are stated in cents per 100 pounds.

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The vessel rate of $12\frac{1}{2}$ cents had previously been increased to 14 cents, effective May 27, 1935.

from Crockett but shipped out of San Francisco by rail almost exclusively, paying the aforesaid through rail rate of 25 cents, minimum 40,000 pounds.

On April 18, 1938, pursuant to the general increase authority granted by this Commission in Decision No. 30784 in Application No. 21603, the rails voluntarily increased their rate from 25 to 28 cents. On May 11, 1938, the vessel carriers similarly effected a voluntary increase from 17 to 20 cents, thus preserving the differential of 8 cents between rail and water rates.

Prior to May 11, 1938, the refiners sold sugar in the Los Angeles area in carload lots on the basis of the San Francisco price plus 23 cents per bag of 100 pounds, the approximate cost of moving the traffic to destination through Los Angeles Harbor. Concurrently with the increase in vessel rates, the refiners announced new prices 27 cents over the San Francisco price. This change caused the purchasers in the Los Angeles area to buy their sugar f.o.b. San Francisco, employing highway contract carriers for transportation to Los Angeles. They were successful in inducing certain contract truck carriers to haul the traffic at rates ranging from 22 to 25 cents. From June 1, 1938, to June 27, 1938, truck carriers received practically all of the sugar traffic moving out of the San Francisco Bay district.

On May 23, apparently in an effort to reduce freight absorptions, the Western Sugar Refinery and on June 1, 1938, the California-Hawaiian announced the withdrawal and discontinuance of their cane sugar stocks in the Los Angeles area. Thereafter, on June 27, 1938, after the San Francisco Bay refiners had altered their sales policies as described, the American Crystal Sugar Co., which operates a beet sugar factory at Ornard, commenced quoting prices at the Los Angeles market on the basis of f.o.b. San Francisco price plus only 25 cents per 100 pounds. The San Francisco Bay refiners were forced by competi-

tive conditions to reduce their freight addition to a like figure. This had the effect of returning the routing privilege to the refiners and after June 27, 1938, California-Hawaiian, notwithstanding its announced intention to withdraw its southern California stocks, shipped one or two consignments by boat. However, as to the bulk of the business, it continued to avail itself of the low truck rates in order to avoid the necessity of absorbing the difference between the 25 cent freight addition and the 28 cent rail rate. As the situation now stands, truck carriers appear to be handling practically all of the sugar traffic out of San Francisco and a very large portion of that out of Crockett. Whether or not vessel carriers will continue to obtain some of the traffic of California-Hawaiian from the Crockett refinery depends upon whether Los Angeles stocks are maintained as the vessels will not call at Crockett for shipments of less than 300 tons. Rail carriers are being given only that traffic which moves via inland beet sugar factories for consolidation.⁴

In an effort to regain a fair share of the traffic they formerly enjoyed from San Francisco, the rail carriers filed applications for authority to make effective on less than statutory notice (1) a rate of 25 cents, minimum weight 40,000 pounds, and (2) a rate of 25 cents, minimum weight 80,000 pounds, to include split delivery in lots of not less than 10,000 pounds per delivery to store-door in not more than three destination cities. They rested these proposals upon the following grounds: (1) that the proposed rates will be fully compensa-

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The rails accord a consolidation-in-transit privilege whereby rail shipments of cane sugar may move from the San Francisco and Crockett refineries to beet sugar factories at Manteca, Tracy and Spreckels at a rate of 5½ cents, minimum weight 100,000 pounds. The cars are then filled out with beet sugar and are forwarded to Los Angeles for a rate of 19 cents, also subject to a minimum weight of 100,000 pounds. By informal applications now pending before the Commission, the rails have requested authority to increase the rate beyond the consolidation point to 20 cents, making a through rate of 25½ cents, minimum weight 100,000 pounds.

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tory, (2) that a rate of 25 cents per 100 pounds, minimum weight 40,000 pounds (identical with that here sought to be established) was in effect from July 1, 1933, to April 18, 1938, (3) that the proposed rates compare favorably with and yield much greater revenue than rates on similar commodities between the same points, including rates on beverages, tonics, soap and canned goods recently approved by this Commission, (4) that potential proprietary truck competition precludes the maintenance of a higher rate, (5) that the present "going" truck rate is 25 cents per 100 pounds, (6) that the willingness of the trucks to move the traffic for 25 cents and less is a strong indication that they would certainly apply and possibly be permitted, under Section 11 of the Highway Carriers' Act, to assess a rate of 25 cents and thus permanently secure the traffic under contract should a higher minimum rate be established, (7) that there is now available a combination rail rate from San Francisco and Crockett to Los Angeles of 24½ cents, made up of a rate of 5½ cents, minimum weight 100,000 pounds, to Manteca plus 19 cents, minimum weight 100,000 pounds, beyond, and (8) that while under applications pending before the Commission it is proposed to increase the aforementioned combination rate to 25½ cents, such rate as increased will still be available to highway carriers under the terms of Section 10 of the Highway Carriers' Act.⁶

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The rails introduced a study of the cost of transporting sugar in carload quantities from and to the points here involved. This study developed full costs ranging from 17.93 to 21.86 cents per 100 pounds in minimum quantities of 40,000 pounds for rail facility service and from 15.12 to 17.67 cents per 100 pounds in lots of 80,000 pounds with split delivery to store-door.

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Section 10 of the Highway Carriers' Act provides, in part:

" * * * In event the Commission establishes minimum rates for transportation services by such highway carriers, such rates shall not exceed the current rates of common carriers or highway common carriers, as those terms are defined in the Public Utilities Act, for the transportation of the same kind of property between the same points."

While the truck carriers introduced no evidence as to truck costs, they relied on a study introduced by a Commission engineer in which costs ranging from 25½ to 31 cents per 100 pounds were developed for transporting sugar for hauls of from 400 to 500 miles from San Francisco Bay refineries to Los Angeles area by for-hire highway carriers. They suggested that truck and rail rates be set at the level of the present rail rate (28 cents) and that an additional charge of 2 cents per 100 pounds be provided for the performance of split delivery by either truck or rail carriers.

Vessel carriers proposed that the vessel rate be set at 21½ cents, including insurance, wharfage and other incidental charges, that a rate of 5½ cents be established as minimum for movements from Los Angeles Harbor to Los Angeles by either truck or rail, and that the sum of these rates (27 cents) be established as minimum for through movements by truck or rail. In support of their position the vessel carriers stated (1) that they could not transport the traffic for less than their present rate of 20 cents, exclusive of incidental charges (pointing to the Commission's findings in Decision No. 29529 in Application No. 20535 that the average cost of transporting a selected group of commodities, including sugar, was 19.7 cents per 100 pounds), (2) that consequently, if the proposed reduced rail rates were permitted to become effective, the vessels could not effect a corresponding reduction in their rates and would be forced to forego the traffic, and (3) that, as the sugar traffic constituted from 50 to 80 per cent of their total business, they would be compelled to discontinue entirely operations between the ports involved and thus deprive the public of vessel service.⁷

⁷ Prior to November 1, 1937, there were seven steamship companies operating solely in intrastate trade between San Francisco Bay ports and southern California ports. There were also five other vessel carriers operating both intrastate and interstate service between those ports. Today there is only one vessel carrier operating solely in intrastate trade. Two interstate carriers handling intrastate traffic still remain, but neither of them actively solicits intrastate traffic.

The shippers urged that the present rate parity between refineries be preserved and that the volume of the rates be kept sufficiently low to enable California refiners to compete with cane sugar shipped into the state from the Hawaiian Islands and other producing territories, and with beet sugar shipped from California factories.⁸ The shippers asserted that the cost of handling this traffic as a proprietary operation in leased equipment would be substantially less than 25 cents per 100 pounds. They said they were not anxious to operate their own or leased trucks but would be forced by competitive commercial conditions to do so unless a rate of 25 cents were available for transportation by for-hire carriers.

The first and most pressing problem presented is whether the rails are justified in establishing the rates they propose for the purpose of regaining at least a fair share of the sugar traffic involved and thus participate in traffic they have, until recently, enjoyed. The solution lies in determining whether the proposed rates are (a) reasonably compensatory, (b) justified by the charges or costs of other and competitive forms of transportation, and (c) justified by the competitive commercial needs of commerce.

Should the rail cost studies be accepted as conclusive, it would appear that the rates which they have proposed would be compensatory. Conceding that they may contain some infirmities, there appears to be ample room for upward revision without their exceeding the level of the proposed rates. Moreover, strong evidence of the propriety of the proposed rates is afforded by comparing the earnings accruing thereunder with rates approved by the Commission in recent proceedings from and to the same territories. The proposed rates of 25 cents, minimum 40,000 pounds, and 25 cents, minimum 80,000 pounds, would yield per car revenues of \$100.00 and \$200.00, respectively. By Decision No. 29723,

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Beet sugar factories are located at Sugarfield, Spreckels, Manteca, Tracy, Alvarado, Betteravia, Oxnard and Dyer.

dated April 26, 1937, in Cases Nos. 4137 and 4141, the rails were permitted to maintain a rate of 25 cents, minimum weight 30,000 pounds, for the transportation of beverages and tonics between San Francisco Bay points and points in the Los Angeles area. This rate produces revenue of \$75.00 per car. By Decision No. 30410 of December 13, 1937, in Case No. 4264, the rails were similarly permitted to maintain a rate of 26 cents, minimum 36,000 pounds, yielding \$93.60 per car on canned goods, soap and certain other commodities. It seems apparent from these comparisons that the proposed rates are not so low as to cast a burden on other traffic but to the contrary would produce a relatively high return per car.

Wholly aside from the reasonableness per se of the proposed rates it is evident that they are necessary to meet the serious threat of proprietary competition and appear to be no lower than the cost to the refiners of performing the service in leased equipment. Another factor tending to indicate that the suggested rates are justified is that higher rates, according to the record, would undoubtedly cause the southern California purchasers to look elsewhere for their supply, thus reducing the volume of locally refined cane sugar sold in that area. If this were to occur it follows that there would be a corresponding reduction in the volume of sugar traffic available to for-hire carriers. In any event the maintenance by the rails of a rate in excess of the consolidation rate ($24\frac{1}{2}$ cents or $25\frac{1}{2}$ cents, if increased) would certainly prejudice the rails in competing with highway carriers, who, under Section 10 of the Highway Carriers' Act, could not be required to observe as minimum, a higher rate for similar transportation. The proposed rail rates should be approved provided that where such rates provide for split delivery the same additional charges, which are hereinafter prescribed for split delivery by truck, shall be made.

The same competitive factors that justify the establishment of the rates proposed by the rails also require that the minimum rate for highway carriers be no higher than 25 cents. In any event, the maintenance of a rate of 25 cents by the rails would preclude the establishment of a higher minimum rate for truck transportation. While from a strict cost standpoint a rate somewhat in excess of 25 cents might appear to be

justified, competitive conditions will not permit exceeding that figure and a minimum rate of 25 cents will be established for highway carriers. The testimony shows that average truck loadings for the transportation involved are slightly in excess of 30,000 pounds and that a minimum weight of 30,000 pounds will produce efficient loading of truck equipment as well as conform with existing loading practices. The 25 cent truck rate will therefore be made subject to a minimum weight of 30,000 pounds.

Insofar as vessel rates are concerned, the record does indicate that the coastwise vessel carriers are in need of additional revenue. However, it has not been shown that rates of the volume which were maintained for the transportation of sugar prior to May 11, 1938 (17 cents) would not be compensatory or that the volume of sugar rates is responsible for the financial condition in which the vessel carriers find themselves. Moreover, as hereinbefore observed, the vessel carriers' chance of securing the Crockett tonnage and of continuing to participate in the sugar traffic depends not so much upon the rate level as it does upon whether or not the refiners permanently discontinue their southern California stocks as announced. This of course is a matter over which the Commission has no control. On this record it does not appear that vessel rates should be required to be disturbed.

Findings

Upon consideration of all the facts of record the Commission is of the opinion and finds:

1. That the rates, rules, regulations and charges provided in Appendix "A" attached to and made a part of the order herein will be the just, reasonable and nondiscriminatory minimum rates, rules, regulations and charges for radial highway common carriers and highway contract carriers as defined in the Highway Carriers' Act, and the reasonable and sufficient rates, rules, regulations and charges for highway common carriers as defined in the Public Utilities Act, for transportation of the commodities and between the points for which

rates, rules, regulations and charges are provided in said appendix, and for accessorial services incident to such transportation.

2. That all radial highway common carriers and highway contract carriers as defined in the Highway Carriers' Act and all highway common carriers as defined in the Public Utilities Act should be required to cease and desist on or before three (3) days from the effective date of the order herein and thereafter abstain from assessing, charging, collecting or observing rates, rules, regulations or charges lower in volume or effect than those provided in Appendix "A" attached to and made a part of the order herein.

3. That the informal applications filed by common carriers by railroad (Nos. 15-22774, 15-22783 and 15-22784), seeking authority to establish reduced rates for the transportation of sugar from San Francisco Bay district points to points in southern California, should be granted.

O R D E R

Public hearings having been held in the above entitled proceeding, and based upon the evidence received at the hearings and upon the conclusions and findings contained in the preceding opinion,

IT IS HEREBY ORDERED that the rates, rules and regulations provided in Appendix "A" attached hereto and hereby made a part hereof, be and they are hereby established and approved, effective three (3) days from the effective date of this order, as the just, reasonable and nondiscriminatory minimum rates, rules and regulations to be charged by any and all radial highway common carriers and highway contract carriers as defined in the Highway Carriers' Act, for the transportation or service for which rates or charges are provided in said Appendix "A".

IT IS HEREBY FURTHER ORDERED that all highway common carriers as defined in the Public Utilities Act shall establish on or before

three (3) days from the effective date of this order, on not less than one (1) day's notice to the Commission and to the public, rates, rules and regulations no lower in volume or effect than those provided in said Appendix "A" for the transportation and services for which rates and charges are therein provided.

IT IS HEREBY FURTHER ORDERED that all radial highway common carriers and highway contract carriers as defined in the Highway Carriers' Act and all highway common carriers as defined in the Public Utilities Act be and they are hereby ordered to cease and desist on or before three (3) days from the effective date of this order and thereafter abstain from assessing, charging, collecting or observing rates, rules or regulations lower in volume or effect than those set forth in said Appendix "A".

IT IS HEREBY FURTHER ORDERED that every radial highway common carrier and highway contract carrier shall issue to the shipper, for each shipment received for transportation, a freight bill in substantially the form set forth in Appendix "B" hereof, but may include in said freight bill, in addition to the provisions appearing in said form, such other reasonable and lawful provisions as may be deemed proper, and shall retain and preserve for reference, subject to the inspection of the Commission or its employees, a copy of said freight bill for a period of not less than three (3) years from the date of its issuance.

IT IS HEREBY FURTHER ORDERED that the Commission shall have and it does hereby retain jurisdiction of these proceedings for the purpose of establishing or approving the just, reasonable and nondiscriminatory maximum or minimum or maximum and minimum rates, charges, classifications, rules and regulations to be charged, collected and observed by radial highway common carriers and highway contract carriers both for transportation service hereinabove described and for

such other transportation and accessorial service as may from time to time appear proper in the light of other or further evidence received herein and for the purpose of establishing and prescribing such rates as will provide an equality of transportation rates for the transportation of the articles and commodities here involved between all competing agencies of transportation.

This order shall become effective twelve (12) days from the date hereof.

Dated at Los Angeles, California, this 15th day of August, 1938.

Rafael Sanchez
Leon Sanchez
Frank Warner
Ray L. Riney

Commissioners.

APPENDIX "A"

Naming

MINIMUM RATES, RULES AND REGULATIONS

for the

TRANSPORTATION OF SUGAR

BETWEEN POINTS IN CALIFORNIA

WITHIN THE TERRITORY DESCRIBED HEREIN

* * * * *

APPENDIX "A"

ITEM NO. 10 - DEFINITIONS OF TECHNICAL TERMS

(a) The term POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor or his agent into the custody of the carrier for transportation.

(b) The term POINT OF DESTINATION means the precise location at which property is physically delivered into the custody of the consignee or his agent.

(c) The term SHIPMENT means a quantity of freight tendered by one shipper on one shipping document at one point of origin at one time for one consignee at one point of destination (see Item No. 90 for exception).

(d) The term COMMON CARRIER RATE means any intrastate rate or rates of any common carrier, or common carriers, as defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment, together with the minimum weights, rules and regulations which govern such rate or rates.

(e) The term SAME TRANSPORTATION means transportation of the same quantity of property, subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.

(f) The term RAILHEAD means a point at which property is usually and ordinarily loaded into or unloaded from rail cars or vessels. It also includes truck loading facilities of plants or industries located at such rail or vessel loading or unloading point.

(g) The term TAILGATE LOADING means loading of the shipment into carrier's equipment from a point not more than 25 feet distant from said equipment.

(h) The term TAILGATE UNLOADING means unloading of the shipment from carrier's equipment and placing it at a point not more than 25 feet from said equipment.

(i) The term TEAM TRACK means a point at which property may be loaded into, or upon, or unloaded from rail cars by the public generally. It also includes wharves, docks and landings at which the public generally may tender and receive shipments of property to and from common carriers by vessel.

ITEM NO. 20 - APPLICATION OF RATES - CARRIERS'

Rates provided in this Appendix are minimum rates, established pursuant to the Highway Carriers' Act (Chapter 223, Statutes of 1935, as amended) and apply for transportation by radial highway common carriers and highway contract carriers, as defined in said Act.

Whenever property in continuous through movement is transported by two or more radial highway common carriers or highway contract carriers, the rates provided herein shall be the minimum rates for the combined transportation.

ITEM NO. 30 - APPLICATION OF RATES - TERRITORIAL

Rates in this Appendix apply for transportation from San Francisco and Crockett on the one hand to points within the following described territory, on the other hand:

Beginning at the point the Ventura County-Los Angeles County boundary intersects the Pacific Ocean, and following northeasterly along said boundary to the point it intersects State Highway No. 118, approximately two miles west of the unincorporated town of Chatsworth; thence easterly along the northerly border of State Highway No. 118 to San Fernando; thence northeasterly along the northerly border of the county road known as MacLay Avenue to the point it intersects the southerly boundary of Angeles National Forest; thence southeasterly and easterly along the southerly boundary of Angeles National Forest and of San Bernardino National Forest to the point it intersects the county road known as Mill Creek Road; thence westerly along the southerly border of said county road to Redlands; thence southeasterly along the northerly border of Reservoir Street and of U.S. Highway No. 99 to the point it intersects the county road known as Redlands Boulevard; thence easterly along the northerly border of said Redlands Boulevard to and including the unincorporated town of Yucaipa; thence westerly and northwesterly along the southerly borders of said Redlands Boulevard, U.S. Highway No. 99 and Reservoir Street to Redlands; thence westerly along the southerly border of Brookside Avenue and the county road known as Barton Avenue to the point Barton Avenue intersects the county road extending southerly and westerly to the county road known as La Cadena Drive; thence southerly and westerly along the southerly border of said county road to the point it intersects La Cadena Drive; thence southerly along the easterly border of La Cadena Drive to Riverside; thence southeasterly and easterly along the northerly border of State Highway No. 60 to the point it intersects the county road extending southeasterly to San Jacinto; thence southeasterly along the easterly border of said county road to San Jacinto; thence southerly along the easterly border of the county road known as San Jacinto Avenue to State Highway No. 74; thence westerly along the southerly border of State Highway No. 74 to Hemet; thence southerly along the easterly border of the county road known as State Street to the point it intersects the county road extending westerly to the county road known as Washington Avenue; near the unincorporated town of Winchester; thence westerly along the southerly border of said county road to Washington Avenue; thence southerly along the easterly border of Washington Avenue to the point it intersects the county road extending westerly and southwesterly to U.S. Highway No. 395 near Temecula; thence westerly and southwesterly along the easterly border of said county road to U.S. Highway No. 395; thence southerly along the easterly border of U.S. Highway No. 395 to the San Diego-Riverside County Line; thence along said county line to the intersection of said line with the Orange County-San Diego County Line; thence south along said line to the Pacific Ocean; thence north and west along the said ocean to the point of beginning.

ITEM NO. 40 - APPLICATION OF RATES - COMMODITIES

Rates provided in this Appendix apply for transportation of sugar.

ITEM NO. 50 - SHIPMENTS TO BE RATED SEPARATELY

Each shipment shall be rated separately. Shipments shall not be consolidated or combined (See Item No. 90 for exception).

ITEM NO. 60 - GROSS WEIGHT

Charges shall be assessed on the gross weight of the shipment. No allowance shall be made for the weight of containers.

ITEM NO. 70 - LOADING, UNLOADING AND DEMURRAGE

Rates in Item No. 110 include service of driver only for tailgate loading into and tailgate unloading from the carrier's equipment, subject to Note 1. (See Item No. 80 for charges for additional help.)

NOTE 1.-When time consumed in loading or unloading carrier's equipment exceeds 20 minutes per ton (based on the weight on which transportation charges are computed) a charge of \$2.00 per hour for the additional time consumed shall be assessed.

ITEM NO. 80 - ACCESSORIAL CHARGES

(a) Whenever loading or unloading other than tailgate loading or tailgate unloading is performed, an additional charge of 2 cents per 100 pounds shall be made for the performance of each of such services.

(b) An additional charge of \$1.00 per man per hour, minimum charge 50 cents, shall be made for stacking, sorting, helpers for loading or unloading, or any other accessorial or incidental service which is not included in the rate assessed and for which a charge is not otherwise provided.

ITEM NO. 90 - SPLIT DELIVERY

A shipment may consist of several component parts delivered to (a) one consignee at more than one point of destination; or (b) more than one consignee at one or more points of destination, subject to the following conditions:

(1) The composite shipment shall be shipped by one consignor at one point of origin.

(2) Charges shall be prepaid by the shipper.

(3) Point of destination of each component part shall be located (a) within one mile laterally of the shortest constructive highway route from point of origin to the most distant point of destination, or (b) within the corporate limits of any city traversed by the shortest constructive highway route from point of origin to the most distant point of destination, or (c) on an authorized route of or within the corporate limits of any city

ITEM NO. 90 - SPLIT DELIVERY (Concluded)

traversed by an authorized route of any common carrier or common carriers operating from point of origin to the most distant point of destination and maintaining rates for the same transportation.

(4) Charge for the composite shipment shall be the charge applicable for a single shipment of the same quantity from point of origin to the highest rated point of destination, plus an additional charge of 85 cents for each delivery more than one.

(5) At time of tender of shipment carrier shall issue a single bill of lading or shipping document for the composite shipment, and be furnished with manifest or written delivery instructions showing the name of each consignee, the point of destination, and the quantity of each component part.

ITEM NO. 100 - ALTERNATIVE APPLICATION OF COMMON CARRIER RATES

When the transportation is between railheads, rates in this Appendix shall alternate with rates of common carriers by railroad for the same transportation between the same railheads. (See Note.)

Rates in this Appendix shall also alternate with the lowest common carrier rate for the same transportation.

NOTE.-Highway carriers maintaining established depots may apply for transportation between such depots, the rail carload rates applying between rail team tracks in the same cities or towns.

ITEM NO. 110 - RATES

(a) For transportation of shipments weighing 30,000 pounds or more the minimum rate shall be 25 cents per 100 pounds;

(b) For transportation of shipments weighing less than 30,000 pounds, the minimum rate shall be the lowest common carrier rate for the same transportation from and to the same points;

(c) When the charges accruing on a shipment based upon actual weight exceed the charges computed upon a rate based upon a greater unit of minimum weight, the latter shall apply.

APPENDIX "B"

SHIPPING ORDER AND FREIGHT BILL

Name of Carrier _____
(Name of Carrier must be same as shown on Permit)

Bill No. _____
Permit No. _____

City _____ Date _____, 193_____

Shipper _____ Consignee _____

Street Address _____ Street Address _____

City _____ City _____

Packages	Kind	Description of Commodities	**Weight	Rate	Charges

Shipper _____

By _____
(Show name in full)

Received by Carrier in good condition except as noted:

By _____
Driver (Show name in full)

Received by Consignee in good condition except as noted:

By (Show name in full)

C.O.D. _____

C.O.D. Fee _____

*Advances _____

*Other Charges _____

Prepaid _____

Total to Collect

* Show each charge separately and what it represents.

*** If other unit of charges, show per hour, box, crato, bundle, bag, head, etc.