

Decision No. 33284

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment)
of maximum and minimum, or maximum)
or minimum rates, rules and regula-)
tions of all common carriers, as)
defined in the Public Utilities Act)
of the State of California, as amend-)
ed, and all highway carriers, as de-)
fined in Statutes 1935, Chapter 223,)
as amended, for the transportation,)
for compensation or hire, of any and)
all agricultural products.)

Case No. 4293

ORIGINAL

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

An adjourned hearing was held in this proceeding before Examiner Bryant in San Francisco on June 17, 1940, for the purpose of affording a hearing herein to certain highway carriers who had not previously had an opportunity to be heard respecting the subject matter of this proceeding, minimum rates, rules and regulations applicable to all other highway carriers having been heretofore established herein by Decision No. 31924, as amended.¹ The parties for whom such hearing was held include those who first obtained permits as radial highway common carriers or highway contract carriers between October 25, 1939, and June 5, 1940, inclusive, and certain other radial highway common carriers and highway contract carriers who obtained permits prior to that time but who had not

¹ Decision No. 31924 of April 11, 1939, in the above entitled proceeding established minimum rates and rules and regulations for the transportation of livestock between all points in California by radial highway common carriers and highway contract carriers. These rates and rules and regulations were promulgated in the form of a loose-leaf tariff entitled Highway Carriers' Tariff No. 3, which was attached to said Decision No. 31924 as Appendix "C" thereof. Decision No. 31924 has subsequently been modified by Decision No. 32593, and the modification so made has been incorporated in the tariff.

previously been afforded an opportunity to be heard herein. The record shows that the Order Instituting Investigation herein was duly served on and notice of said hearing herein duly given all such carriers.

Evidence was introduced at the hearing, based upon studies of rates and costs of operation, that the minimum rates and charges and the rules and regulations established by said Decision No. 31924, as amended, and as set forth in Highway Carriers' Tariff No. 3, as modified, supplemented, and amended, are just, reasonable and nondiscriminatory for all highway carriers, including those carriers hereinabove referred to as well as those previously subject thereto. No criticism was made of the propriety of those minimum rates and charges, rules and regulations and no reason was advanced why they should not be applied as minimum by said carriers. The minimum rates and charges and rules and regulations contained in said Highway Carriers' Tariff No. 3 are based upon favorable conditions affecting the various types of operation and appear to be equally proper for the carriers for whom this hearing was provided as for the others.

We therefore conclude that the minimum rates, charges, accessorial charges, and the ratings, rules and regulations established in and by Decision No. 31924, as supplemented, amended and modified, and as set forth in said Highway Carriers' Tariff No. 3 should be established for and made applicable by all highway carriers.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the findings and orders in said Decision No. 31924, as supplemented, amended and modified by the findings and orders in Decision No. 32593, be and they are hereby adopted as the findings and orders herein to be observed by all radial highway common carriers and highway contract carriers who ob-

tained permits between the dates of October 25, 1939, and June 5, 1940, inclusive, and by all radial highway common carriers and highway contract carriers listed in Appendix "A" hereof, and a copy of each of said decisions (including the appendix or appendices thereto, if any) is attached hereto and is hereby referred to and made a part hereof.

IT IS HEREBY FURTHER ORDERED that any and all supplements to and modifications and amendments of said Decision No. 31924 hereafter made in this proceeding shall be, and shall be deemed to constitute, supplement to or modification or amendment of this decision also, without express reference to this decision therein, and all radial highway common carriers and highway contract carriers who obtained permits between the dates of October 25, 1939, and June 5, 1940, inclusive, and all radial highway common carriers and highway contract carriers listed in Appendix "A" hereof, are hereby ordered and directed to observe and comply with any and all such supplements, modifications and amendments of said decision No. 31924, as though this decision were expressly supplemented, modified and amended thereby.

This order shall become effective on the date hereof.

Dated at San Francisco, California this 3rd day of July, 1940.

Ray L. Riley
George P. D. ...
Ray ...
M. ...
Justin J. ...
Commissioners

APPENDIX "A"

Cecile Claverie as Executrix
Estate of John Claverie
Jack Warner
Mats Ando
R. E. Cleveland and John Martinusen
Henry Gonzales
Clarence Swain
Manuel Sanchez
Marion J. Watkins
Harry Hill
Jose Alfaro and Jesus Alfaro
Louis Banister and M. Keefer
Samuel C. Farber and John R. Sundquist, dba
Beverly Hills Parcel Service
Ben Mooschekian and Sam Mooschekian, dba
Downey Fertilizer Company
Theodore R. Fisher
Walter R. Jamieson
James Marriott
Claire C. Mitchell
Henry C. McRae
Arthur N. Ryals
Frank Teskey, Mabel M. Teskey and Merlyn F. Teskey, dba
Teskey Transportation Company
Carl Vanderhoof
Manuel Venegas
George Heimendinger and Melvin Heimendinger
James M. Neese
Quirino Valenzuela
O. C. Robinson
Steven F. Shubin
Mable E. Smith, dba
Allison Auto Express
J. C. Pittman, dba
Base Line Transfer & Storage
Jose L. Miranda
Pacific Freight Lines
H. Reynolds and P. Bartell
Cordell Rupe and J. R. Griffith
Wells Transportation, Inc.
Mrs. V. Costa
Walter R. Painter and Loice M. Christian
K. O. Holte
Marshall V. Miller
Troy White
R. E. Rode and William Rode, dba
Rode Trucking Company
S. W. Collins
Pete Granaroli
William B. Elliot
Salvatore Lucchesi
Ernest A. Kinkle

Decision No. 32593

BEFORE THE
RAILROAD COMMISSION
OF THE
STATE OF CALIFORNIA

In the Matter of the Establishment of maximum and minimum, or maximum or 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 Statutes 1935, Chapter 223, as amended, for the transportation, for compensation or hire, of any and all agricultural products.

Case No. 4293

In the Matter of the Establishment of maximum or minimum, or maximum and minimum rates, rules and regulations of all Radial Highway Common Carriers, and Highway Contract Carriers, operating motor vehicles over the public highways of the State of California, pursuant to Chapter 223, Statutes of 1935, for the transportation for compensation or hire of any and all commodities, and accessorial services incident to such transportation.

Case No. 4088
Part "G"

In the Matter of the Investigation and Establishment of rates, charges, classifications, rules, regulations, contracts, and practices or any thereof, of Common Carriers of livestock.

Case No. 4123

In the Matter of the Suspension by the Commission on its own motion of the cancellation of rates on feeder cattle from Kalina and Stronghold, California, to Montezuma, Willota, Woodland, Sacramento, Marysville, Chico and Oroville and return to Kalina and Stronghold.

Case No. 3962

In the matter of the Investigation by the Commission on its own motion into the rates on feeder livestock between points in California.

Case No. 3941

In the Matter of the Application of The Atchison, Topeka & Santa Fe Railway, Los Angeles & Salt Lake Railroad Company, Northwestern Pacific Railroad Company, Pacific Electric Railway, San Diego & Arizona Eastern Railway Company, Southern Pacific Company (Pacific Lines), and the Western Pacific Railroad Company for an increase in rates on carload shipments of livestock.

Application
No. 19636

printed in CALIFORNIA STATE PRINTING OFFICE
SACRAMENTO: GEORGE H. MOORE, STATE PRINTER

80499-B

BY THE COMMISSION:

ORDER DENYING PETITIONS FOR REOPENING, RECONSIDERATION OR REHEARING AND SUPPLEMENTAL OPINION AND ORDER

By Decision No. 31924 of April 11, 1939, as amended, in the above entitled proceedings, minimum rates of statewide application were established for the transportation of livestock by highway carriers and maximum rates were established for like transportation by rail carriers. The following petitions, seeking reopening, reconsideration or rehearing of certain matters involved in that decision, as amended, have since been filed.

Petition for Reconsideration of Subsequent Haul Rule

Following the issuance of Decision No. 31924, *supra*, a petition was filed by certain interested shippers seeking modification thereof by the elimination of the so-called "subsequent haul" rule, which provided, in substance, that the rates prescribed as maximum for rail movements of feeder livestock would apply only when the livestock received a subsequent rail haul within a period of one year. Following a public hearing on this petition, it was found that the rule should be retained. (Decision No. 32427 of October 10, 1939.) California Cattlemen's Association and California Wool Growers Association seek reconsideration of the latter decision. They allege that proper consideration was not given to the fact that a similar rule had been found unreasonable by the Interstate Commerce Commission in *Matador Land & Cattle Co. Ltd. vs. A. T. & S. P. Ry. et al.*, 231 I.C.C. 566; that the Commission erred in concluding that elimination of the subsequent haul rule would require a compensating increase in the rate level and additional restrictions against the use of feeder rates to marketing points; and that the Commission erred in concluding that there are no definitely distinguishable characteristics between fat and feeder livestock.

The *Matador* decision was issued by the Interstate Commerce Commission without prejudice to any different conclusions that might be reached in the reopened proceedings in Docket 17000, Part 9, with respect to the subsequent haul rule. In any event, that decision is not binding upon this Commission and it should be understood that the rule was adopted for intrastate shipments, irrespective of any action which the Interstate Commerce Commission may or may not take in adopting a similar rule for interstate shipments. The availed conclusions that elimination of the rule would require a compensating increase in the rate level and that the differences between fat and feeder stock are not definitely distinguishable, appear fully in accord with and supported by the evidence. This petition will be denied.

Rail Petition Seeking Substitution of Single Line Scale for Fat and Feeders

Immediately prior to the further hearing relative to the question of eliminating the subsequent haul rule, the rail lines filed a petition seeking the substitution of a single scale of rates for the dual scale prescribed for fat and feeder livestock, respectively. The proposal in this petition appears to be identical with that advocated by the rails in the original hearings, which proposal was found not justified in Decision No. 31924, *supra*. No good cause appears for deviating from the original findings in this matter and this petition, also, will be denied.

Petition to add Arbitrary to Alternative Scale for Joint Line Hauls

Under Decision No. 31924, *supra*, rail carriers were authorized to increase rates then in effect to the level of an "alternative" scale which was lower in many instances than the prescribed maximum scale. Provision was made that 6½ cents per 100 pounds could be added to the prescribed maximum rates for joint line rail hauls involving certain specified carriers. No authority was given, however, to add a like amount to rates under the alternative scale. The rail lines, by appropriate petition, now seek the latter authority. In support of this petition, it is alleged that the reasons found to justify the addition of 6½ cents per 100 pounds to the maximum scale justify a like addition to the alternative scale. Interested shippers have informed the Commission that they have no objection to the proposed modification.

It appears from the allegations of the petition that this is not a matter in which a further public hearing is necessary and that the modification sought should be made.

Corrected Title Page

Although the effective date of the rates established by Decision No. 31924, as amended, was extended until November 7, 1939, by appropriate orders, the title page of Highway Carriers' Tariff No. 3, in which those rates were set forth, was not changed accordingly. A corrected title page is adopted herein.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the petition filed by California Cattlemen's Association and California Wool Growers Association,

The justification for the 6½ cents rate arbitrary was explained in Decision No. 31924 as follows:

"There are a number of railroads in California which are not required by the Interstate Commerce Commission to maintain the 17000 scale because of their relatively short mileage, light traffic density or poor financial conditions. The establishment of the 17000 scale of rates as maxima for local movements over these lines should be similarly excluded here. In several proceedings involving intrastate rates . . . this Commission adopted an arbitrary of 4½ cents per 100 pounds to be added to rates prescribed . . . for joint hauls involving movements over certain short line railroads. Such an arbitrary will be adopted here in prescribing through rates for transportation involving joint hauls between the major railroads and one or more of the (short line) railroads named in footnotes 34."

seeking reconsideration of Decision No. 32427 in the above entitled proceedings, be and it is hereby denied.

IT IS HEREBY FURTHER ORDERED that the petition filed by The Atchison, Topeka & Santa Fe Railway Company, Southern Pacific Company, Northwestern Pacific Railroad Company, Pacific Electric Railway Company and San Diego & Arizona Eastern Railway Company, seeking reopening and rehearing of the above entitled proceedings and reconsideration of Decision No. 31924, as amended, be and it is hereby denied.

IT IS HEREBY FURTHER ORDERED that Appendix "D" of Decision No. 31924, dated April 11, 1939, as amended in the above entitled proceedings, be and it is hereby further amended by substituting for Item No. 40 of said appendix the following amended item:

"ITEM NO. 40-A—ARBITRARIES FOR JOINT LINE HAULS

For joint line hauls involving one or more of the carriers named in Item No. 20, Note 1, as amended, there will be added to the rates provided in Item No. 100 or Item No. 110, 6½ cents per 100 pounds."

IT IS HEREBY FURTHER ORDERED that Decision No. 31924 of April 11, 1939, as amended in the above entitled proceeding, be and it is hereby further amended by adding to Highway Carriers' Tariff No. 3 (Appendix "C" to said Decision No. 31924) the revised page attached hereto and by this reference made a part hereof, which page is numbered as follows:

Original Title Page (Corrected)

IT IS HEREBY FURTHER ORDERED that in all other respects said Decision No. 31924, as amended, shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at Los Angeles, California, this 28th day of November, 1939.

RAY C. WAKEFIELD,
RAY L. RILEY,
C. C. BAKER,
JUSTUS F. CRAEMER,
Commissioners.

Highway Carriers' Tariff No. 3

NAMING

MINIMUM RATES, RULES AND REGULATIONS

FOR THE

TRANSPORTATION OF LIVESTOCK OVER THE

PUBLIC HIGHWAYS WITHIN THE

STATE OF CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS

AND

HIGHWAY CONTRACT CARRIERS

The original tariff contains rates, rules and regulations as established in Decision No. 31924, in Case No. 4293. Changes contained in subsequent orders will be made by reissuing the pages on which the changes occur or by issuing supplements showing the corrected items.

Correction No. 1

EFFECTIVE NOVEMBER 7, 1939

Issued by the
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center,
San Francisco, California

Decision No. 31924

BEFORE THE
RAILROAD COMMISSION
OF THE
STATE OF CALIFORNIA

In the Matter of the Establishment of maximum and minimum, or maximum or 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 Statutes 1935, Chapter 223, as amended, for the transportation, for compensation or hire, of any and all agricultural products.

Case
No. 4293

In the Matter of the Establishment of maximum or minimum, or maximum and minimum rates, rules and regulations of all Radial Highway Common Carriers, and Highway Contract Carriers, operating motor vehicles over the public highways of the State of California, pursuant to Chapter 223, Statutes of 1935, for the transportation for compensation or hire of any and all commodities, and accessorial services incident to such transportation.

Case
No. 4088
Part "G"

In the Matter of the Investigation and Establishment of rates, charges, classifications, rules, regulations, contracts, and practices or any thereof, of Common Carriers of Livestock.

Case
No. 4123

In the Matter of the Suspension by the Commission on its own motion of the cancellation of rates on feeder cattle from Kalina and Stronghold, California, to Montezuma, Willota, Woodland, Sacramento, Marysville, Chico and Oroville and return to Kalina and Stronghold.

Case
No. 3962

In the Matter of the Investigation by the Commission on its own motion into the rates on feeder livestock between points in California.

Case
No. 3941

In the Matter of the Application of the Atchison, Topoka & Santa Fe Railway, Los Angeles & Salt Lake Railroad Company, Northwestern Pacific Railroad Company, Pacific Electric Railway, San Diego & Arizona Eastern Railway Company, Southern Pacific Company (Pacific Lines), and the Western Pacific Railroad Company for an increase in rates on carload shipments of livestock.

Application
No. 19636

BY THE COMMISSION:

APPEARANCES

A complete list of the appearances in these proceedings is contained in Appendix "A" hereof.

OPINION

Collectively, these proceedings involve rates for the transportation of livestock within California. Case No. 4293 embraces most of the issues involved in the other proceedings. At the time it was instituted separate hearings had already been had in Cases Nos. 3941 and 4088, Part "G", but not in Cases Nos. 3962 or 4123, nor in Application No. 19636. Due to the fact that economic and transportation conditions had changed materially since the original hearings were held, the proceedings in which hearings had been had were set for further hearing with Case No. 4293. Hearings were then held before Examiner Howard G. Freas. This decision is based upon all of the evidence adduced, both in the separate and in the joint hearings.

Production of Livestock in California

The raising of livestock has been a major agricultural activity in California for many years. The livestock industry is the foremost agricultural enterprise in 16 counties of the State, is second in importance in 16 others, and is considered of major importance in 18 additional counties.

Case No. 4293 is an investigation instituted by the Commission pursuant to the provisions of the Highway Carriers' and Public Utilities Acts for the purpose, among other things, of establishing maximum and minimum, or maximum or minimum, rates for radial highway common and highway contract carriers, and reasonable and sufficient rates for common carriers, for the transportation of products of agriculture, including livestock.

Case No. 4088 is an investigation instituted by the Commission on its own motion, for the purpose, among other things, of establishing maximum and minimum, or maximum or minimum, rates for radial highway common and highway contract carriers, for the transportation of any and all commodities. Part "G" is the phase relating to livestock transportation.

Case No. 4123 is an investigation instituted by the Commission on its own motion for the purpose of establishing rates, charges, classifications, rules, regulations, contracts and practices for the transportation of livestock by all common carriers.

Case No. 3962 is a suspension proceeding involving a proposed cancellation of rail lines of certain round-trip rates applying for transportation of feeder cattle from Kalina and Stronghold (on the Great Northern Railway) to Montezuma, Willota, Woodland, Sacramento, Marysville and Chico (on the Sacramento Northern Railway) and to Sacramento, Marysville and Oroville (on the Western Pacific Railroad) and return.

Case No. 3941 is an investigation instituted by the Commission on its own motion into rail rates for the transportation of feeder livestock, for the purpose of determining whether or not such rates are unreasonable or otherwise unlawful.

Application No. 19636 is an application of rail lines under Section 63 of the Public Utilities Act to increase single line rates on carload shipments of livestock and to publish rates on a "cents per 100 pounds" basis.

Important among the changes referred to were the enactment of the Highway Carriers' Act (Statutes of 1936, Chapter 223, as amended) which directed the Commission to establish maximum or minimum or maximum and minimum rates for the transportation of livestock by highway carriers, and the enactment of Section 32(d) of the Public Utilities Act (Statutes of 1927, Chapter 723) which provided a basis for co-ordinating the rates of the several forms of for-hire transportation.

The term "livestock" as used in this report embraces cattle (both beef and dairy), calves, sheep, lambs, goats and hogs.

During the years 1929 to 1932 there was a severe depression in the livestock industry caused by a decline in market prices. During the five-year period from 1923 through 1927, however, market prices advanced and the total farm value of cattle, sheep, and hogs in California increased more than 100 per cent. The estimated value of meat animals produced in 1927 (including the wool yield) was \$70,897,000.* The record does not indicate to what extent the economic condition of the industry may have changed during 1938, although it does appear that during the early months prices were following a downward trend.

California is recognized as a state which provides more favorable feeding and grazing conditions for livestock than do most other western states. Thirty-seven million acres, over 35 per cent of the state's area, are devoted to National Forest reserves, Indian reservations and public domain, much of which territory is used for grazing purposes. In addition, there is considerable privately-owned undeveloped land available for stock raising, and much developed land upon which grazing is permitted during certain seasons of the year.

Between the years 1931 and 1935, the State's population of cattle increased 15 per cent, sheep 11 1/2 per cent and hogs 25 per cent. The population in 1935 was distributed geographically as follows:

District—	Cattle and Calves		Sheep and Goats		Hogs	
	No. of Head	Per cent	No. of Head	Per cent	No. of Head	Per cent
1. Northern California.....	283,800	13 1/2	380,200	14	39,200	8
2. Sacramento Valley.....	178,300	8 1/2	775,600	28 1/2	104,100	21
3. Redwood Empire.....	192,200	9	407,200	15	27,600	5
4. Central California.....	238,100	11 1/2	385,900	14	77,100	16
5. San Joaquin Valley.....	576,100	27 1/2	484,400	18	82,300	17
6. Coast Counties.....	275,600	13	96,400	3 1/2	23,500	5
7. Southern California.....	259,600	12	126,100	4 1/2	112,600	23
8. Imperial Valley.....	67,700	3	68,400	2 1/2	13,100	3
Total.....	2,131,500	100	2,724,100	100	489,500	100

From 250,000 to 500,000 head of cattle are shipped into California each fall and winter from the states of Nevada, Arizona, New Mexico, Utah, Colorado and Texas, for feeding and fattening purposes. A large

*In comparison, the California farm value of citrus fruits produced during 1937 was \$85,271,000; hay \$53,112,000; grapes \$43,108,000; cotton and cottonseed \$34,880,000; lettuce \$22,250,000; peaches \$19,284,000; barley \$18,294,000; beans \$17,598,000; wheat \$16,423,000; nuts \$14,650,000; prunes \$13,680,000; potatoes \$12,510,000; tomatoes \$11,450,000; sugar beets \$10,338,000; apricots \$10,110,000; and cantaloupes \$9,873,000.

*Population statistics are based on United States Census of Agriculture, January 1935. Figures shown in table are taken from Table 38, page 41 of "California Livestock Statistics" by George A. Scott, Agricultural Statistician, California Department of Agriculture, October 1937.

number of these move into the San Joaquin and Sacramento valleys. Between 400,000 and 500,000 head of sheep and lambs are also shipped into the State annually for breeding purposes or for fattening in California pastures. Oregon and Nevada supply the greater share of these, although Arizona and Utah are also important contributors. Hogs, shipped in from other states are ordinarily slaughtered immediately and are seldom held for further feeding. In addition to the foregoing imports, large numbers of cattle, sheep and hogs are shipped into California for immediate slaughter.

In years past, hogs were imported into California in great numbers from Kansas and Nebraska. Cattle were imported from Arizona, New Mexico, Texas, Nevada, and Utah, and sheep were obtained in large quantities from Nevada, Utah, Idaho and Oregon. In recent years, however, due to drought conditions in certain of those states and more favorable feeding conditions in California, this state is now raising the greater proportion of its total consumption.

Marketing Methods

The most common means of marketing livestock is through the public livestock markets located at San Francisco, Los Angeles and Stockton.⁷ Under this method, stock is shipped by the producers into stockyards adjacent to the public markets and is there weighed and graded. Sales to packing houses are then negotiated through commission brokers. Other popular means of marketing livestock

⁷The following table shows the origin of livestock moved into the South-San Francisco Union Stockyards during the year 1937. So far as diversity of origin points is concerned, the statement is said to be fairly representative of the movement into Stockton and Los Angeles.

State of Origin	Cattle		Calves		Sheep		Hogs	
	Number of Head	Per cent	Number of Head	Per cent	Number of Head	Per cent	Number of Head	Per cent
California	74,602	72	9,404	79	125,176	62	158,005	55
Oregon	5,294	5	1,047	9	7,785	4	55,673	20
Idaho	12,322	12	690	6	59,206	29	46,844	16
Nevada	5,671	6	422	3	122	—	3,792	2
Utah	2,741	3	1	—	1,262	1	9,271	3
Other States	1,337	1	429	3	7,632	4	11,293	4
Total	102,067	100	12,093	100	201,283	100	285,252	100

⁸The term "Public Live Stock Markets," refers to those markets falling within the definition of stockyards, as contained in the Packers and Stockyards Act, 1921, 42 Stat., L. 159. The act mentioned provides as follows:

"When used in this title the term 'stockyard' means any place, establishment, or facility commonly known as stockyards, conducted or operated for compensation or profit as a public market, consisting of pens, or other enclosures, and their appurtenances, in which live cattle, sheep, swine, horses, mules, or goats are received, held, or kept for sale or shipment in commerce. The title shall not apply to a stockyard of which the area normally available for handling live stock, exclusive of runs, alleys, or passageways, is less than twenty thousand square feet."

are: (1) through the conduct of auctions by livestock cooperative associations at selected points in the rural producing areas, (2) through direct negotiations between producers and representatives of the packing houses, (3) through sales to butchers in the rural areas for local consumption, (4) through commission merchants located at points removed from public livestock markets, and (5) through shipments on consignment directly to the packing houses. In each instance transportation charges are deducted from the sales price before remittance is made to the producer, or, when purchase is made at the producing point, are considered in arriving at the sales price.

Marketing of livestock in California is heavier during the spring and summer months, although the trend is toward a more even distribution throughout the year so as to avoid a flooding of markets and consequent disruption of prices. The largest number of slaughter cattle comes from grass-fed cattle on the state's early feeding ranges, but many of these cattle are put into commercial feed lots or on pastures for final feeding and finishing, and the marketing season is thus extended somewhat. Cattle marketed monthly from dairy herds also contribute toward uniformity in monthly disposals. Calf sales are heavier in April and May, but on the whole are relatively uniform throughout the year. More than 70 per cent of California produced lambs are marketed from March to June inclusive. Hog sales are maintained at a comparatively uniform level month after month, largely as a result of stabilized production at garbage feeding establishments,* and of the fact that they are raised under widely varying climatic conditions, so that the extremes of high and low production are minimized.

Livestock Movements

Cattle and sheep are fed largely on natural forage and, consequently, must be moved from place to place as climatic conditions change. Cattle are generally moved to the higher mountain ranges during the summer months and returned to their home ranges in the fall. It is not unusual for cattle to be shipped from one feeding point to another as many as three times prior to the shipment to market. Sheep, in addition to moving from range to range as the seasons of the year vary or as new forage is located, are often permitted to feed in vineyards and barley fields after the crops have been harvested.

When ready for slaughter, the livestock is shipped to stockyards at the marketing point and is transferred to the corrals of the individual slaughter houses after the sales have been made, or is shipped directly to the slaughter house. Between 50 and 60 per cent of the

* Approximately one-third of the hogs marketed in the state are produced in garbage feeding establishments adjacent to the Los Angeles and San Francisco metropolitan areas.

total amount of livestock consumed in this state moves through public stockyards, the balance going directly to the packing plants for slaughter. Range fed cattle are often sent to commercial feeding yards for market conditioning prior to their being shipped to the packing houses for slaughter.* Sheep are usually shipped to market directly from the range. Hogs are seldom fed on natural forage and, hence, are usually made ready for market at the production points.

In addition, there is a sizable movement of dairy herds from old pastures to new ones for the purpose of freshening up the herds and obtaining forage. In the dairying areas cows are shipped from dairies to sales yards, from sales yards to dairies, or from dairies or sales yards to consuming markets.¹⁰

The foregoing movements may be accomplished by the use of rail or truck transportation, or by driving. Vessel carriers transport a small amount of hogs and sheep from delta farms along the Sacramento and San Joaquin rivers to markets in the San Francisco Bay area. Otherwise, vessel carriers do not appear to participate in the livestock traffic to any material extent. Livestock traffic is being diverted from rail to truck carriers in an ever-increasing degree, although rail carriers have retained a large part of the feeder movement, due probably to the fact that large herds or flocks must be moved at one time and trucks of sufficient number or capacity to perform the service are seldom available. The principal factors which have influenced the trend from rail to truck transportation appear to be (1) that trucks will pick up and deliver at the ranch whereas stock transported by rail must be driven or hauled to and from the rail loading and unloading points; (2) that trucks afford a speedier service, thereby reducing shrinkage losses;¹¹ and (3) that the level of going rates for through transportation by truck has been lower

*The market conditioning at the feed yards ordinarily consists of feeding the cattle ground beet pulp or cottonseed cake or meal, together with hay and selected grains.

¹⁰Sales yards, located in the vicinity of dairy farms, conduct a business of selling or exchanging cows. Dairymen sell cows which have outlived productive usefulness, and buy new ones to replace them. Old cows at dairies and at sales yards are generally sold to packing houses.

¹¹Fat livestock, whether moved to market by rail or truck, is subject to shrinkage in weight which increases in proportion to the elapsed time in transit. According to the time in transit, the time of day and the time of year when it is shipped, livestock may shrink up to 4 per cent when moved by truck and probably somewhat more when moved by rail.

The record shows that hogs shipped by rail take approximately 30 hours to go from Hanford, Visalia and Tulare to Los Angeles. By truck the same shipments take 8 1/2 hours. From Garber to South San Francisco the trucks are about 3 hours faster than the railroad. From Williams the truck time to San Francisco is between 7 1/2 and 8 1/2 hours; the rail time from 16 to 24 hours. From Kern County points to Los Angeles by truck is about 7 hours; from Ventura County points to Los Angeles about 2 1/2 hours; while the average railroad time from these two points to Los Angeles is between 12 and 24 hours. In San Luis Obispo County, from a ranch located 50 miles from the railroad, the time by truck to the Los Angeles market is about 3 hours; it would take 4 days to drive the cattle from the same ranch to the rail loading point. A shipper located 45 miles from the Caviota Station testified it formerly took him 24 hours to drive his cattle to the railroad corral at that point and move it by rail to Los Angeles. Trucks now take them from his ranch to Los Angeles in 7 or 8 hours.

than rail rates plus the cost of moving the stock to and from the railheads; and that the following table introduced by a witness for the California Cattlemen's Association shows the distribution of shipments of cattle as between truck and rail carriers, classified by origin territories, for the heaviest shipping periods of each territory in 1937:

District	County	By Truck		By Rail	
		Number of Head	Per Cent	Number of Head	Per Cent
Northern California	Siidyou	1,541	---	3,225	---
	Modoc	2,254	---	12,592	---
	Lassen	1,652	---	4,024	---
	Plumas	698	---	5,206	---
	Tehama	2,654	---	14,290	---
	Sub-total	8,798	18	39,548	82
Central California	Marin	1,953	---	366	---
	Sacramento	8,546	---	3,678	---
	Santa Cruz	1,429	---	122	---
	Stanislaus	20,037	---	1,147	---
	Sub-total	30,965	91	5,313	9
San Joaquin Valley	Fresno	17,445	---	559	---
	Madera	12,259	---	260	---
	Merced	22,096	---	8,473	---
	San Joaquin	19,833	---	1,674	---
	Kings	7,792	---	698	---
	Tulare	17,060	---	11,342	---
	Sub-total	97,386	77	23,006	23
Southern California	Imperial	21,617	---	12,472	---
	Kern	31,018	---	4,922	---
	Santa Barbara	15,647	---	2,027	---
	Sub-total	68,282	78	19,421	22
GRAND TOTAL		225,621	72	87,698	28

It will be noted that with the exception of certain counties in northern California, the truck is by far the more popular medium for the transportation of cattle. This is true also in connection with transportation of sheep and hogs, except that rail movements of these two kinds of stock are relatively greater than rail movements of cattle.¹²

¹² A representative of the Southern Pacific Company testified that his company handles about 75 per cent of the livestock moving by rail in California. An exhibit introduced by him, showing the movement by his company for the year 1937 compared with 1929, indicates that shipments of cattle and calves by rail in 1937 declined to 33.8 per cent of the 1929 movement. Shipments of sheep and goats in single deck cars declined to 12.6 per cent; sheep and goats in double deck cars to 54.1 per cent; hogs in single deck cars to 22.6 per cent; and hogs in double deck cars to 48.0 per cent of the traffic handled in 1929.

History and Present Status of Rail Rates

Prior to 1924, rail rates for intrastate transportation of livestock in California were stated in dollars per car and published on a point-to-point basis. The commodity descriptions "Cattle NOS," "Sheep NOS" and "Hogs" were employed and rates usually applied either on fat or feeder stock,¹³ although a few feeder rates were maintained between country points. In 1924, representatives of livestock shippers' associations and of the railroads held negotiations looking toward the establishment of a maximum scale of rates for livestock transportation, to be published on a mileage basis. The livestock interests sought, principally, the establishment of a differential between rates for fat and feeder stock. The result of these negotiations was the voluntary establishment by the rail lines in August 1924 of the so-called "California scale." This scale, published in dollars per car, was constructed generally as follows: The feeder cattle rates in the so-called "Arizona-California scale"¹⁴ were adopted as the feeder cattle rates for the California scale. Fat cattle rates were based thereon so as to maintain a relationship of 100 and 85 per cent, respectively, between fat and feeder cattle. Double and single deck rates for sheep, (fat and feeder) were made 110 per cent¹⁵ and 80 per cent, respectively, of the corresponding cattle rates. Rates for hogs in single-deck cars were made 90 per cent of the fat cattle rates. The scale did not provide rates for feeder hogs lower than those applicable on fat hogs, nor did it provide specific rates for hogs in double-deck cars. Under a tariff rule, however, double-deck rates for hogs could be constructed, by taking 170 per cent of the corresponding single-deck rates per car. The scale contained a provision for assessment of a branch-line arbitrary charge of \$3.50 per car and was published to alternate with point-to-point rates then in effect.

¹³The term "fat livestock" is used generally to designate animals ready for immediate slaughter. The term "feeder livestock" is ordinarily used to describe animals which require further feeding. In California "feeder" livestock includes what are sometimes called "stocker" animals. These are usually immature stock used to replenish herds on the range. Stockers may be fed from one to two years, whereas feeders require only from one to six months' feeding before slaughter. The hundred weight value of feeder stock often approaches that of fat stock and, for that reason, the description of stock for shipping purposes frequently depends on current market prices at time of shipment. If the market prices are good, the livestock may be described as "fat," while the identical animals in a poor market might be shipped to a feed yard as "feeder" stock to await better market prices.

¹⁴The Arizona-California scale was prescribed by the Interstate Commerce Commission in *American Livestock Association vs. Southern Pacific Company*, 20 L. C. C. 37 (decided January 7, 1913). In that case, rates for feeder livestock were established at 85 per cent of rates for fat stock. A charge of \$2.50 for branch-line hauls and \$5.00 for joint-line hauls was provided. In *Arizona Cattle Growers Association vs. Apache Railroad Co., et al.*, 101 L. C. C. 182 (decided July 22, 1923) the feeder rates were reduced to 80 per cent of the rates for fat stock and the branch-line arbitrary abolished. The California scale reflected the general increases and reductions which occurred in the Arizona-California scale during the World War period, and ironed out a blanket of rates for distances between 470 and 575 miles, which blanket had resulted from the application of percentage reductions prior to 1924.

¹⁵In *U. M. Slater, et al. vs. Southern Pacific Company, et al.* (64 L. C. C. 647) decided December 6, 1921, the Interstate Commerce Commission found that per car rates for the transportation of sheep in double-deck cars from points in Idaho, Oregon and Nevada to points in California should not exceed by more than 10 per cent the corresponding cattle rates.

In July 1930, this Commission found rates on fat cattle and sheep in double deck cars from points in the Imperial Valley to Los Angeles unreasonable to the extent that they exceeded rates based on the Arizona-California scale.¹² Again, in October 1933, it prescribed a scale of mileage rates (the so-called "26414 scale") somewhat lower than the California scale, to apply on fat sheep in single and double deck cars.¹³ The Commission also found in that proceeding that fat cattle rates provided in the California scale had not been shown to be unreasonable, but that feeder cattle rates were unreasonable to the extent they exceeded the rates for fat sheep prescribed in the decision. While the territorial application of the order was limited, the scale used was adopted in numerous subsequent proceedings, so that, with minor exceptions, it is now prescribed as a maximum scale for state-wide application on sheep in single or double deck cars. Published in cents per 100 pounds, the 26414 scale constituted the first major departure in this state from the long-established method of stating rates in dollars per car.

While these intrastate rates were undergoing adjustment, changes were taking place in interstate rates for livestock moving between points in California and points in adjacent states. In 1927 California livestock interests negotiated with the railroads for the establishment of a mileage scale of rates between Utah, Nevada and California. The result of these negotiations was the adoption of a scale of mileage rates in dollars per car for fat and feeder cattle and sheep between points in Nevada and Utah on the one hand, and points in California on the other. This scale is generally referred to as the "Nevada-California scale."¹⁴

In Docket 17000 Part 9, *Livestock—Western District Rates*, 176 I.C.C. 1 (decided June 8, 1931), the Interstate Commerce Commission prescribed maximum rail rates for interstate application throughout

¹² *California Livestock Commission, et al. vs. Southern Pacific Co., et al.*, Case No. 2471, Decision No. 22651, July 9, 1930, reported 35 C.R.C. 31.

¹³ *Woodward-Bennett Packing Company, et al. vs. Southern Pacific Co., et al.*, Case No. 2300, Decision No. 26414, October 3, 1933. The basis of rates prescribed in that decision was the "Concho-Cactus scale." The Concho-Cactus scale arose out of I.C.C. Docket No. 20649, *Concho Livestock Co., et al. vs. A. T. & N. F. Ry. Co., et al.*, 178 I.C.C. 501 (decided September 12, 1931). That proceeding involved claims for reparation on livestock moving between Arizona and California. Rates were charged on the basis of the Arizona-California scale. Rates were sought on the basis of the Cactus scale, originally established in *Arizona Packing Company vs. A. T. & N. F. Co.*, 81 I.C.C. 116 (decided June 27, 1923). The latter scale was in cents per 100 pounds and applied on beef (fat) cattle only. The Interstate Commerce Commission in the Concho case adopted the Cactus scale for application on fat sheep in double deck cars, and established rates for feeder sheep at 85 per cent of the same scale. The Concho scale was prescribed for reparation purposes only, as rates for the future had already been fixed by the Interstate Commerce Commission upon the Docket 17000 scale.

¹⁴ The Nevada-California scale was published in dollars per car on the basis of the California scale up to 300 miles. Beyond that distance the rate of progression was generally \$2.50 per car for each 25-mile block. Rates for two-line hauls were made by adding an arbitrary charge of \$6.50 per car for distances less than 300 miles. Branch-line arbitraries were not established.

"Mountain-Pacific" territory," of which California is a part, thus superseding both the Arizona-California and the Nevada-California scales. The Docket 17000 scale has never been adopted for intrastate transportation in this state. In general, it is lower than the California or 26414 scales, but higher than some of the point-to-point rates currently in effect in this state.

In Decision No. 30784 in Application No. 21603, the general level of intrastate livestock rates by rail was horizontally increased 5 per cent on April 15, 1938, following the horizontal increases in rates on interstate livestock under *Ex Parte 123* on March 28, 1938 (226 I.C.C. 41).

As the result of the foregoing, the present intrastate rail rate structure for livestock transportation is based generally as follows: (1) maximum fat cattle rates are those established voluntarily in 1924 as the California scale, increased 5 per cent; (2) maximum feeder cattle rates are those prescribed by the Commission in the 26414 scale, increased 5 per cent; (3) maximum fat and feeder sheep rates are those prescribed by the Commission in the 26414 scale, increased 5 per cent; and (4) maximum hog rates are those voluntarily established in 1924 as the California scale, increased 5 per cent. Numerous point-to-point rates, lower in volume than those applicable under the foregoing bases, are also maintained. In addition, the California scale of rates on feeder cattle and fat and feeder sheep, superseded as a maximum scale by the 26414 scale, apply whenever they produce lower aggregate charges than are produced by the latter scale or by the point-to-point rates.

For movements of cattle and sheep from home ranges to feeding ranges and return, the rails publish numerous so-called "round trip" rates, lower in volume than the sum of the rates which would otherwise be applicable for the outbound and return hauls computed separately. These rates are published on a point-to-point basis, there being no mileage scale of round trip rates. The volume of the round trip rates is approximately one-and-a-half times the one-way feeder rate, or the continuous mileage rate for feeder livestock under the California scale to which a stopping charge is added.

History and Present Status of Truck Rates

Trucks began to haul livestock to an appreciable extent during the World War period. The urgent demand for truck transportation of agricultural commodities, caused by acute shortages of rail cars,

* "Mountain-Pacific" territory as defined by the Interstate Commerce Commission, comprises generally that portion of the United States west of a line drawn through Havre, Mont., Cheyenne, Wyo., Denver, Colo., Albuquerque, New Mex., and El Paso, Tex., and includes the states of Washington, Oregon, California, Idaho, Nevada, Utah and Arizona, together with the western portions of Montana, Wyoming, Colorado and New Mexico.

led producers to transport livestock in their own or hired trucks. After the war, however, transportation of livestock by common carrier truck lines did not grow apace with common carrier truck transportation of other commodities. The Commission's files of tariffs in effect prior to 1935 show but two certificated motor carriers of livestock whose rates may be used as criteria for analyzing the historical background of truck rates. A carrier operating extensively in southern California published point-to-point truckload rates for livestock, regardless of kind, on a graduated basis related to the size of the vehicles employed.²⁰ He also published hourly rates to apply between all points other than stockyards and packing houses. The level of truckload rates published by this operator in 1929 for transportation from Imperial Valley points to Los Angeles, appears to be about twice the volume of rates contemporaneously maintained by the railroads. The other certificated truck carrier whose tariff furnishes some historical rate data, published rates in southern California on two truckload bases, one for movements in a 6-wheel truck and 6-wheel trailer combination units and the other for movements in 6-wheel trucks. This carrier's rates for truck and trailer load movements generally approximated the rail lines' rates for transportation between railheads near the named origin and destination points.

Contract or radial highway common carrier rates prior to 1935 are not developed definitely in the record. In general, however, it appears that contract carrier rates approximated rail rates for competitive service and were somewhat higher than rail rates where the distance from railhead and the time in transit were influencing factors in favor of truck service.

The testimony is in conflict as to the general level of rates now being charged by truck carriers engaged in livestock transportation. According to some witnesses, truck operators transport truck and trailer loads at rail rates for a rail carload quantity, sometimes with, but more often without, additional charges for transportation performed beyond the railheads or for accessorial services which the rails do not undertake to render. These witnesses claimed that semi-trailer or single truck loads of livestock are ordinarily charged from one-half to two-thirds of the rail per car rates. On the other hand, the result of a study of "going" truck rates introduced by a Commission witness shows that truck rates bear little if any similarity to rates maintained by rail lines between similar points and for like distances.

²⁰ This operator's tariff named truckload rates for—

a. 6-ton truck and 6-ton trailer	e. 5-ton truck and 2-wheel trailer
b. 6-ton truck	f. 3-ton truck
c. 4-ton truck and 4-ton trailer	g. 1 1/2-ton truck
d. 4-ton truck	h. 1-ton truck

The following tables, drawn from an exhibit introduced by a Commission witness, show truck rates for typical movements compared with the contemporaneous rail rates for the same movements:

To:	Cattle		Sheep, D.D.	
	Rail 36-foot carload	Truck and Trailer load	Rail 36-foot carload	Truck and Trailer load
Los Angeles, California	84.00	85.00	82.00	85.00
Brawley, California	60.00	45.00	64.00	45.00
Bakersfield, California	75.00	80.00	80.00	80.00
Fresno, California	85.00	85.00	90.00	85.00
Los Banos, California	33.50	30.00	45.00	30.00
Santa Paula, California	50.00	40.00	56.00	40.00
Santa Barbara, California	65.00	75.00	70.00	75.00
Pismo, California	79.00	90.00	84.00	90.00
King City, California	85.00	100.00	90.00	100.00
Salinas, California				

To:	Cattle		Sheep, D.D.	
	Rail 36-foot carload	Truck and Trailer load	Rail 36-foot carload	Truck and Trailer load
San Francisco, California	85.00	86.00	84.50	84.50
Stockton, California	44.50	45.00	58.00	58.00
Oakdale, California	35.00	35.00	50.00	45.00
Manteca, California	51.50	52.00	58.00	65.00
Los Banos, California	90.50	90.00	84.00	110.00
Bakersfield, California	45.50	55.00	56.00	68.00
Salinas, California	66.00	65.00	70.00	65.00
Paso Robles, California	75.00	90.00	98.00	90.00
Guadalupe, California	59.00	68.00	62.00	70.00
Willows, California	54.00	70.00	58.00	72.50
Marysville, California				

Rail rates shown above are those in effect contemporaneously with truck rates developed of record in this proceeding and do not reflect the horizontal increase of 5 per cent in rail rates on April 15, 1938. Truck rates of contract carriers were not affected by that increase except to the extent they may have been adjusted voluntarily by the carriers, hence the disparities between rail and truck rates today are possibly more aggravated. It will be noted that in some cases the rail rates are higher than truck rates, while in other cases the opposite is true. In still other instances, but rarely, the rates charged by both rail and truck are the same.

In view of the conflicting evidence mentioned it cannot be determined definitely to what extent rail rates form the base for truck rates. However, it appears in general that rail rates are observed when the time required for transportation by truck is comparable with the time required by rail and when the origin and destination are not far removed from rail track facilities. When the truck time is substantially less than the time offered by the rails, truck carriers often obtain a somewhat higher rate. When the stock is picked up at, or delivered to, points more than five or ten miles removed from rail track facilities,

truck carriers assess approximately 50 cents per truck-mile for the additional service beyond the railheads.

On the whole, the size of truck equipment appears to play a greater part in competitive bidding for traffic than does the rate level. Whereas the rail rates are ordinarily based on 36 foot 6 inch cars, and are increased by graduated percentages when larger cars are ordered, truck carriers seldom assess a greater charge for larger equipment. In fact, many truck carriers appear bent on obtaining an advantage over the competitors by affording larger equipment, while at the same time quoting competitive rates.

The record is not clear as to what charge, if any, truck carriers make in instances where they pick up a full load at more than one point. There is some evidence to indicate that charges ranging from one dollar to five dollars are assessed for such split pick-up service.

Rates for the transportation of dairy cows from and to sales yards are quite generally assessed on a "per head" basis ranging from 50 cents to \$1.00 regardless of weight but depending on the distance to be traversed. The "per head" basis of rates for dairy cows is due to the fact that dairymen send only their non-productive or tuberculin-tested cows to sales yards and thus ship one or several head at a time. A truck operator performs a gathering service, going from one dairy to another until he has acquired a full truckload.

Truck Cost Studies

A Commission witness and three carrier witnesses presented comprehensive studies showing estimated costs of transporting cattle, sheep and hogs in various types and sizes of truck equipment.²¹ The following tables show a comparison of the round-trip costs per vehicle unit developed by the several witnesses for transporting livestock in truck-and-trailer, and tractor and semi-trailer equipment.

COST PER ROUND TRIP				
One Way Miles	Jacobsen (Exhibit No. 5)	Landmark (Exhibit No. 12)	Anthony (Exhibit No. 15)	Walk (Exhibit No. 22)
<i>Truck and Trailer Operation</i>				
50	\$ 18.90	\$ 17.89	\$ 23.64	\$ 22.25
100	34.48	33.83	43.65	42.48
400	132.74	132.92	149.40	162.90
<i>Tractor and Semi-Trailer Operation</i>				
50	\$ 13.64	\$ 15.80	\$ 17.13	
100	25.90	29.72	31.70	
400	100.34	117.71	110.18	

²¹The cost witnesses were C. H. Jacobsen, senior engineer in the Commission's Transportation Department; C. Landmark of the Livestock Transportation Association of Vernon; C. G. Anthony, representing Cantlay & Tanzola; and C. E. Walk of Truck Owners' Association of California.

None of the witnesses except the Commission's witness anticipated that there would be any back haul for livestock truck operators. The Commission's witness estimated a 5 per cent back haul, and added this to the average load weights to ascertain the total round-trip weights. The other witnesses assumed that the loaded haul would be in one direction only. The average loading weights used by the various witnesses for the various types of equipment and kinds of livestock are as follows:

AVERAGE WEIGHTS OF LIVESTOCK

Type of Equipment	Kind of Stock	Jacobsen*	Landmark	Anthony	Walk
		(Exhibit No. 5)	(Exhibit No. 12)	(Exhibit No. 13)	(Exhibit No. 22)
		Pounds	Pounds	Pounds	Pounds
Truck and Trailer	Cattle	31,500	20,000	20,000	27,280
	Sheep, D.D.	26,400	25,000	26,000	20,920
	Hogs, D.D.	35,700	34,000	36,000	31,140
Tractor and Semi-Trailer	Cattle	16,800	16,000	15,000	-----
	Sheep	12,000	12,750	12,000	-----
	Hogs	17,680	17,100	18,000	-----

*Includes an estimated back haul weight of 5 per cent.

The above weights, when applied to the round-trip costs hereinbefore shown, produce the following cents per 100 pounds costs for the various kinds of livestock transported in truck-and-trailer loads, and in tractor and semi-trailer loads:

COSTS IN CENTS PER 100 POUNDS

Kind of Stock	One Way Miles	Jacobsen (Exhibit No. 5)		Landmark (Exhibit No. 12)		Anthony (Exhibit No. 13)		Walk (Exhibit No. 22)	
		A	B	A	B	A	B	A	B
Cattle	50	5.80	8.12	5.63	9.87	7.88	11.42	8.16	-----
	100	10.95	15.47	11.27	18.57	14.53	21.13	15.20	-----
	400	42.13	59.76	44.31	73.56	49.80	73.45	59.73	-----
Sheep	50	5.84	10.83	7.15	12.39	9.09	14.27	10.84	-----
	100	13.03	20.62	13.53	23.30	16.79	26.42	19.67	-----
	400	50.18	79.69	53.17	92.32	57.46	91.82	77.91	-----
Hogs	50	4.23	7.64	5.26	9.23	6.57	9.52	7.15	-----
	100	9.66	14.55	9.95	17.38	12.13	17.61	13.22	-----
	400	37.28	56.21	39.09	68.83	41.50	61.21	52.22	-----

A—Truck-and-trailer load.

B—Tractor and semi-trailer load.

According to the cost witnesses, truck operators who specialize in hauling livestock for short distances experience lower load weights than do carriers engaged in long distance transportation, because smaller equipment is ordinarily used. Thus, the witnesses claimed, relatively higher unit costs are experienced for distances up to 50 miles.²² Here also the Commission's witness used an estimated back

²²The short haul operations usually involve movements from feed lots and stockyards to packing houses, or vice versa, and from ranches to railheads. Dairy cows are also hauled for short distances ranging from one-fourth mile to fifteen miles.

haul factor of 5 per cent, while other witnesses excluded, the possibility of back haul movement. The average weights used by the several witnesses are as follows:

AVERAGE LOAD WEIGHTS (POUNDS) SHORT HAUL OPERATIONS

Kind of Stock	Jacobsen's Exhibit No. 5			Landmark's Exhibit No. 12		Anthony's Exhibit No. 13	
	A	B	C	B	C	B	C
Cattle	10,500	16,800	31,500	16,000	30,000	15,000	30,000
Sheep	3,040	6,940	13,860	12,750	25,000	12,000	26,000
Hogs	6,940	3,460	18,900	17,100	34,000	18,000	36,000

*—Includes 5% back haul load factor.

A—Truck (20,000 lbs. gross).

B—Tractor and semi-trailer, gasoline operated.

C—Truck-and-trailer, diesel fuel operated.

Based upon exhibits of record, showing data for 5 to 50-mile hauls one way, the following round-trip costs and cents per 100 pounds costs were ascertained. The large variations in cents per 100 pounds are due mainly to differences in the load weights estimated by the several witnesses.

TRUCK COSTS—SHORT HAUL OPERATION

One way Miles	Kind of Stock	Jacobsen's Exhibit No. 5			Landmark's Exhibit No. 12		Anthony's Exhibit No. 13	
		A	B	C	B	C	B	C
COST PER ROUND TRIP								
5	All Kinds	\$2.45	\$3.29	\$5.57	---	---	---	---
10		3.33	4.64	7.17	\$4.59	\$6.22	\$5.88	\$9.22
50		11.68	17.33	25.12	---	---	---	---
COST IN CENTS PER 100 POUNDS								
5	Cattle	2.33	1.96	1.77	---	---	---	---
10		3.17	2.76	2.29	2.86	2.07	3.90	3.32
50		11.12	10.32	7.98	---	---	---	---
5	Sheep, S. D.	4.86	4.74	4.02	---	---	---	---
10		6.61	6.68	5.18	3.60	4.48	4.90	3.58
50		23.17	24.98	18.12	---	---	---	---
5	Hogs, S. D.	3.53	2.48	3.95	---	---	---	---
10		4.80	4.90	3.80	2.68	1.82	3.27	2.59
50		16.84	18.32	13.29	---	---	---	---

A—Truck (20,000 pounds gross).

B—Tractor and semi-trailer, gasoline operated.

C—Truck-and-trailer, diesel fuel operated.

Suggested Truck Rates

A Commission witness and a representative of The Truck Owners Association of California suggested scales of rates which, they asserted, would be reasonable as minimum rates for truck transportation of livestock. The scales constructed by the Commission's witness were based principally upon the cost figures developed by the Commission's engineer, regraded to reflect a smooth rate of progression. The scales

suggested by the Association's witness were based upon the cost studies introduced by that organization. The Association's scales were made to grade into the trail Concho Scale where the developed truck costs produced rates higher than the Concho Scale. A comparison of the two proposed scales for representative distances is shown in the following table. For convenience, the cost figures developed by Landmark and Anthony are also shown.

CATTLE

Minimum Weight 24,000 pounds
(Figures are stated in cents per 100 pounds)

MILES	Johnson Exhibit	Truck Owners	Landmark	Anthony
	No. 11 Scale Based on Jacobsen Cost Study Exhibit No. 5	Aasm. Proposed Minimum Scale Exhibit No. 25	Exhibit No. 12 Cont. Scale	Exhibit No. 13 Cont. Scale
5	3	3	2	3
25	5	7	4	5
50	7	9	6	8
75	10	13	9	12
100	12	16	11	14
150	17	23	17	20
200	22	31	22	28
300	32	41	33	38
400	42	48	44	50
500	52	54	55	61

SHEEP DD

Minimum Weight 20,000 pounds

5	5	4	2	3
25	7	9	4	5
50	10	11	7	9
75	12	16	10	13
100	16	20	13	17
150	21	29	20	23
200	27	34	26	30
300	39	41	40	44
400	50	48	53	57
500	62	54	63	71

HOGS DD

Minimum Weight 24,000 pounds

5	3	2	2	2
25	5	6	3	4
50	7	9	5	6
75	10	11	7	9
100	11	13	10	12
150	16	20	15	17
200	20	26	20	22
300	29	33	29	31
400	37	48	39	41
500	46	54	49	51

To eliminate the possibility that a rate order providing only truck load rates might be defeated by dividing shipments and tendering

them in less-truckload quantities, and to provide equitable rates for dairy cows and other small shipments of livestock, the Commission's witness suggested a minimum scale of less-truckload rates, starting at 25 cents per 100 pounds for 0-5 miles and progressing upward at the rate of 1 cent for each 5 miles up to 50 miles; thence 2 cents for each 10 miles up to 200 miles; thence 4 cents for each 20 miles up to 300 miles, and 4 cents for each 25 miles thereafter. This was the only scale offered for less-truckload movement.

A representative of the California Farm Bureau Federation stated that the organization he represented would have no objection to the adoption of a truckload scale similar to that proposed by the Commission witness, but objected to the level of the proposed less-truckload rates. It was his contention that less-truckload rates of the volume proposed would seriously interfere with the transportation of small quantities of livestock to concentration points, sales yards and other similar movements. No other shipper offered any objection to the level of the rates proposed, nor were any counter-proposals offered with respect to less-truckload rates.

The Commission's witness suggested a set of minimum weights for adoption in connection with the scales of rates in cents per 100 pounds. The proposed weights conformed generally with those adopted by the Interstate Commerce Commission in Docket 17000, supra, for cattle, sheep and hogs. However, he proposed minimum weights of 12,000 and 20,000 pounds respectively for calves in single and double deck cars, whereas Docket 17000 prescribed minimum weights of 16,000 and 23,000 pounds for single and double deck carloads respectively.

The Commission's witness also urged the adoption of certain rules and regulations for the transportation of livestock, for the purpose of standardizing transportation service of highway carriers and of equalizing conditions between truck and rail carriers. These rules and regulations (contained in witness Johnson's Exhibit No. 11) provide generally that (1) distances are to be computed on the basis of the shortest resulting mileage via any public highway route in connection with the method provided in Case No. 4088, Part "N", (2) that an additional charge of \$1.00 per hour is to be assessed for accessorial services furnished in addition to the transportation service, (3) that freight charges shall be assessed on the basis of hoof weights of animals ascertained at point of origin or point of destination or by the use of scale weights or estimated weights, (4) that rail rates shall alternate with truck rates, and that combinations of rail and truck rates shall be made applicable for service from and to off-rail points, and (5) that split pick-up or split delivery service shall be permitted, subject to a

scale of graduated charges based upon the number of stops. No rules or regulations were offered by highway carriers, nor were the witness proposals subjected to any substantial criticism.

Suggested Rail Rates

The rail rates originally proposed in Application No. 19636 were not supported by affirmative evidence at the hearings in these proceedings. In lieu of said rates, the major rail lines proposed that maximum rates for rail transportation of cattle, both fat and feeder, be prescribed for distances up to 300 miles on the basis of the feeder cattle rates prescribed by the Interstate Commerce Commission, Docket 17000 supra, as increased 5 per cent under authority of the Interstate Commerce Commission in Ex Parte 123, supra. Beyond 300 miles, they suggested the adoption of a scale of fat and feeder cattle rates increasing 6 cents per 100 miles up to 700 miles and 5 cents per 100 miles thereafter. This proposed scale is slightly higher than the Docket 17000 feeder cattle scale for distances over 300 miles and meets the Docket 17000 fat cattle rates at 1,000 miles. The rails contended that the scale for hogs in double deck cars should be the same as the cattle scale, and that the scale for sheep and calves in double deck cars should be 115 per cent of the cattle scale. For sheep and hogs in single deck cars, they suggested rates 125 and 120 per cent, respectively, of the double deck sheep and hog rates. Also, the rails asserted that a joint line arbitrary of 2½ cents per 100 pounds should be added to the single line rates for two and three-line hauls. No distinction between fat and feeder livestock was proposed to be made by the rails.

In explanation of the proposed scale and of the departure from the Docket 17000 feeder scale at 300 miles, the rails stated that their proposal was made to meet truck competition, but that such competition diminished beyond 300 miles. They pointed out that although feeder cattle rates higher than the Docket 17000 rates were being proposed for distances of more than 300 miles, their suggested scale, when applied to feeder livestock, was lower, in many instances, than rates based upon truck costs developed in the record. Truck competition was likewise alleged to be the governing factor in proposing one scale of rates applicable to both fat and feeder animals. Truck operators, it was said, made no distinction in rates between fat and feeder stock. The rails, therefore, used a basis somewhat lower than the fat rates and somewhat higher than the feeder rates to arrive at an average scale for all livestock.

A rail witness urged that in calculating rail rates from and to points north of Willits, Red Bluff and Keddie, 1½ rail miles be used for each actual rail mile of distance traversed. He asserted that operating

conditions confronting railroads in northern California are unusually severe, that truck competition is not particularly acute in that territory and that, hence, rates somewhat higher than the levels proposed for other territories could be maintained.

The maximum scale offered by the rail lines was intended for application on the Southern Pacific, Santa Fe, Western Pacific, Union Pacific, Northwestern Pacific and San Diego, Arizona & Eastern railroads. The rail witness was not prepared to state whether or not the same scale would be acceptable to short-line railroads, such as the Sunset Railroad, McCloud River Railroad, and Sierra Railroad, for local transportation on those lines or for joint through service with the major rail lines. Under the proposal the rail scale is intended to alternate with the truck rates, the lower basis being applied in each instance. Feeding-in-transit privileges now being accorded are to be continued, limited however to two stops in transit. The present transit charge of \$6.44 per stop is to be increased to \$10.00 regardless of the weight of the shipment.

A table of minimum weights for adoption in connection with rates in cents per 100 pounds was offered by a rail witness. These minima are identical with minimum weights prescribed in Docket 17000.

Although in Case No. 3962, the rail lines sought the cancellation of round-trip cattle rates applying from Kalina and Stronghold, Calif. to Montezuma, Willota, Woodland, Sacramento, Marysville, Chico and Oroville, Calif. and return to Kalina and Stronghold, Calif., they introduced no evidence in support of this proposal at the consolidated hearings. However, they signified a willingness to maintain round-trip rates for feeder livestock on the basis of the continuous mileage rates for the round-trip movement, plus a stop charge of \$10.00 per car, provided their suggested rail scales were adopted herein. This offer was made in response to a request of the California Cattlemen's Association whose counsel stated that he had no objection to the \$10.00 stop charge, but desired the establishment of round-trip rates on the basis of continuous mileage under the Docket 17000 feeder scale rather than the rail lines' proposed scale.

Shippers and Shippers' Representatives

Witnesses for the California Cattlemen's Association and California Wool Growers' Association were opposed to the prescription of any rail rates which would have the effect of increasing transportation charges. They also objected to the establishment of minimum

²² Transit charges for interstate traffic prescribed in Docket 17000 are \$11.50 per car where rates are stated on a per car basis, and 85 cents per 100 pounds where rates are stated on a cents per 100 pounds basis. The rails pointed out that the latter charge for 24,000 pounds produces a transit charge per car of \$20.40, or more than twice the proposed rail charge of \$10.00.

rates for either rail or truck carriers, claiming that the stabilization of rates in that manner would deprive the shippers of the low rates they are able to obtain under the existing competitive conditions. In general, their witnesses expressed approval of the scale proposed by the rail lines, subject to minor modifications, provided it be prescribed for maximum application only. They did object to the adoption of a 2½ cent joint line arbitrary and to any rates in excess of those prescribed by the Interstate Commerce Commission in the Docket 17000 case, as increased under *Ex Parte 123*, supra.

The secretary of the California Cattlemen's Association also advocated the prescription of mileage rates for "round trip" movements of feeder livestock in place of the present round trip point-to-point rates. He said that shippers frequently study range conditions and wait until the last day before they decide where to ship their stock for feeding and that there is then insufficient time to apply to rail lines for publication of a point-to-point rate to cover the movement. He suggested the adoption of the Docket 17000 feeder rates on a mileage basis for the continuous round-trip mileage, plus a transit or stop charge of \$10.00 per car. The same witness expressed opposition to the proposed use of constructive mileages for rail rate-making purposes from and to points north of Willits and Red Bluff. He believed that if a higher scale of rates was necessary for mountain hauls, the Docket 17000 scale should be adopted for that purpose and a lower scale of rates prescribed for valley hauls.

A witness for the California Farm Bureau Federation offered no objection to the volume of the truckload rates suggested as minima by the Commission's witness.²⁰ However, as previously stated, he protested that the "any quantity" rates proposed by the same witness would seriously interfere with the transportation of small shipments of livestock to sales yards and concentration points. He also expressed the opinion that the minimum weight for hogs should be less than 16,500 pounds, claiming that loads hauled over certain country roads and bridges are subject to a weight limitation of 16,000 pounds. Because of these features, he claimed that the minimum weights should be reduced to come within the average loading capacity of smaller sized trucks.

The Federation also introduced witnesses from points in the Sacramento and San Joaquin Valleys who testified generally as to the transportation practices of livestock co-operative selling agencies located

²⁰ This witness stated that the Federation was not asking that transportation service be performed at less than cost, but was urging that the lowest average cost be used by the Commission as a criterion in prescribing minimum livestock rates of truck carriers. He said, also, that farmers and sellers of livestock desire to know the "going" rates paid by those selling in competition with them, which information cannot be obtained with any degree of accuracy under present rate conditions in the contract trucking field.

in their respective districts. They testified that although the trucks are given most of the traffic, rates approximately the same as the rail rates are charged.

Independent cattlemen testified that they had no objection to the stabilization of rates for rail and truck transportation of livestock provided present rates were not increased.

The manager of the Transportation Department of the Sacramento Chamber of Commerce testified in behalf of three packing houses located in the vicinity of Sacramento. It was his view that the minimum truck scale suggested by the Commission's witness, while producing some increases and decreases in rates, was correct in its construction and should be given a fair trial. The witness pointed out several ways in which rail service could assertedly be improved to regain livestock traffic, and enumerated the services rendered by truck carriers which have been and are proving satisfactory to the buyers and sellers of livestock in his territory.²⁶

Packing house representatives in southern California testified uniformly that the rates paid by the packing houses for transportation have a decided bearing on the price paid to the grower for his livestock, and that the level of livestock rates from the range to the packing house is therefore a matter of importance to the producers. One witness asserted that truck rates paid by several of the packing houses were lower than the estimated costs for the service developed by the Commission's engineer, and claimed, therefore, that the engineer's costs were excessive. Another shipper testified that his proprietary truck operation between Los Angeles and Hanford was conducted at lower costs than those developed by the Commission's engineer, but he failed to introduce any specific cost evidence of his own.

A representative of certain packing houses and cottonseed oil companies engaged in feeding and fattening livestock in the Los Angeles area stated that the prescription of a single line of rail rates for both fat and feeder livestock would constitute a radical departure from the rate basis now in effect on interstate traffic and on intrastate traffic within the adjacent states of Arizona, New Mexico and Nevada, where differentially lower rates are maintained on feeder than on fat stock.

CONCLUSIONS:

As has been pointed out, we are here concerned with one of the State's major activities. Many people are directly employed in the production, marketing, and transportation of livestock; others look to

²⁶ Among the suggestions were (1) to speed up the rail service, (2) to run a few cars of livestock in special train service with light engine or diesel motor equipment, (3) to provide pick-up service by truck for distances of 5 to 10 miles to bring livestock to railhead, and (4) to avoid shunting cars in railroad yards and thus eliminate bruising of livestock in transit.

this industry for food or are economically affected by its welfare. The issues here involved concern the people of this State as a whole.

The record clearly shows that, in many respects, the present livestock rate structure in California is unsatisfactory both to shippers and to carriers. Truck rates are unpublished and, consequently, vary from shipment to shipment. Their general level differs widely as between territories, and even as between producers in the same territory. Many truck rates appear to be so low as to be incompatible with the maintenance of adequate and dependable service. The practice of truck carriers in enlarging equipment in order to obtain a rate advantage is resulting in losses through increased obsolescence, and is thus increasing transportation costs. Rail rates though published and known, are similarly unrelated to distance or to the service performed and are at times so high as to preclude producers from utilizing this form of transport. As a result of these conditions the composite rail and truck rate structure creates serious preferences and prejudices as between shippers and territories, and, in addition, compels traffic to move via types of transport not best suited to its handling. Despite the contrary contention of certain shippers, therefore, there can be little doubt but that the prescription of reasonable and nondiscriminatory rates for the transportation of livestock, both by rail and by truck, will be in the public interest.

Before proceeding to a discussion of the particular issues here involved, it may be well to point out that livestock is a class of traffic upon which the Legislature has specifically directed the Commission to establish the lowest lawful rates compatible with the maintenance of adequate transportation service.²⁶ In arriving at a rate level consistent with this mandate, however, it must be borne in mind that although livestock traffic constitutes a relatively small part of the total tonnage transported by railroads, for-hire livestock truckers seldom have any other class of traffic upon which they can rely for additional revenue or over which they can spread their overhead costs. Moreover, the general rail rate structure is so depressed that even the rails have little traffic remaining upon which they can rely to make up overhead costs experienced in livestock transportation. This being true, it is not to be expected that either truck or rail carriers will be able to serve the public adequately and satisfactorily, over an extended period of time, unless they are able to obtain rates sufficiently remunerative to cover indirect as well as direct expenses.

²⁶ Section 104 of the Highway Carriers' Act provides as follows: "It is hereby declared to be the policy of the State of California, in rate making to be pursued by the Railroad Commission of the State of California, to establish such rates as will promote the freedom of movement by carriers of the products of agriculture, including livestock, at the lowest lawful rates compatible with the maintenance of adequate transportation service." A similar provision is contained in Section 32(d) of the Public Utilities Act.

Highway Carrier Rates

The level of rates which will be compensatory to the carriers and, at the same time, reasonable and nondiscriminatory to the public, can not be ascertained according to any exact formula or inflexible rule. Each of the cost studies of record contains variable factors with regard to fixed charges, direct operating expenses, overhead expenses and load factors and no one of them can be accepted as an absolute criterion of costs under all of the diverse conditions which arise in connection with transportation over a territory as extensive as that here involved. The cost studies may, therefore, only be considered as estimates of costs which will be experienced in an operation which is average in all respects. Similarly, to the extent that the proposed truck scales suggested by the several witnesses are based on such cost studies, those scales may be considered only as approximations of the general level of rates required to return the estimated average costs. However, when viewed collectively, the cost studies and rate proposals presented appear to afford a reasonably reliable indication of the level of highway carrier rates which should be established in this proceeding.

The rates which are established by the order herein as minima for highway carriers, together with appropriate rules, regulations, and charges for accessorial services, are set forth in a form of tariff annexed to the order as Appendix "C". In developing these rates, careful consideration has been given to all of the cost estimates, rate proposals and other testimony of record, and to the mandate of Section 107 of the Highway Carriers' Act. It is believed that the resulting scales will properly protect the interests of the public and the carriers.

The rates are set forth on a cents per 100 pounds basis. Although a few witnesses recommended the establishment of rates in amounts per vehicle unit, the fact that truck equipment is not standardized as to size, that rates so stated encourage overcrowding and that they give little recognition to the differences in value of the commodity and the value of the service resulting from differences in weights, strongly indicates that the cents per 100 pounds basis will be more satisfactory to all concerned. A still more important reason for using the cents per 100 pounds basis, however, is that truck and rail rates for the same transportation must alternate if there is to be an equality of competitive opportunity, and weight is the only unit of measurement common to both forms of transport and practicable as a unit for computing alternative charges.

Separate truckload rates are provided for cattle, sheep and hogs, the rate scale for each class of stock being subdivided into two weight brackets. The scales are set forth in mileage blocks progressing from 0 to 3 miles, from 3 to 5 miles, from 5 to 50 miles in 5-mile blocks, from 50 to 200 miles in 10-mile blocks, from 200 to 300 miles in 20-mile

blocks and in 25-mile blocks thereafter. They are so constructed that, based upon average loading figures of record, approximately the same revenue per unit of equipment will be produced whether cattle, sheep or hogs are transported. In volume, these rates conform closely to those suggested by the Commission's witness.

The rates provided for less-truckload transportation are identical with the first class rates set forth in Decision No. 31606, of December 27, 1938, in Case No. 4246, in re: *Establishment of Rates for all Common and Highway Carriers*, for the transportation of general merchandise in minimum quantities of 4,000 pounds. In general, they are somewhat lower than the less-truckload rates suggested by the Commission's witness. It does not appear that for-hire carriers engage in less-truckload transportation to any great extent, except in the transportation of dairy cows, and the adoption of a less-truckload scale appears necessary mainly in the interest of having an all-inclusive rate structure and to take care of the dairy cow movement.

The rules and regulations governing the application of the rates are generally the same as those heretofore adopted by the Commission in connection with outstanding minimum rate orders or recommended in this proceeding. Only four of the rules, viz., that relating to the ascertaining of weights, that authorizing the performance of split pick-up or split delivery service, that providing a charge for bedding service, and that permitting the alternative application of rail rates appear to require discussion.

Due to the difficulty of ascertaining livestock shipping weights, the first mentioned rule sets forth several alternative bases for computing weights, the applicable basis being determined principally by the presence or absence of weighing facilities. Destination hoof weights are to be used whenever obtainable, less a prescribed fill allowance when livestock has been fed and watered at destination prior to weighing. Origin hoof weights are to be used when a means for ascertaining destination hoof weights is not available. In the event hoof weights are not obtainable at origin or destination, weights obtained by the use of vehicle scales are permitted to be used. When the equipment contains bedding or refuse at the time of weighing and it is impracticable to weigh the equipment empty, a provision is included that 500 pounds may be added to the marked tare for the purpose of computing the net weight of the livestock. If actual hoof weights at origin or destination, or vehicle scale weights en route, are not obtainable because of lack of weighing facilities at some intermediate point along the route of movement, it is provided that a certified statement of estimated weights may be accepted as a basis for the assessment of freight charges. In

¹ Ordinary livestock in less-truckload quantities by rail is rated at first class in Western Classification No. 67, C.R.C. No. 6.

instances where the shipper fails to furnish actual weights of livestock when known or to furnish a certificate of estimated weight when the actual weight is not known, and where other means of ascertaining the actual weight are not available, provision is made for the use of estimated weights specifically set forth. The estimated weights adopted for this purpose were suggested by the Commission's witness and were confirmed as reasonable and proper by the testimony of others.

There appears to be some demand for split pick-up and split delivery service in connection with the movement of dairy cows between sales yards and dairies and also between dairies and the public stockyards. For this reason, a rule for split pick-up and split delivery service is included in the tariff. The rule is the same in principle as that suggested by the Commission's witness, except that it names a lower charge to be added for the extra service. It provides for the basing of charges upon the rate applicable to the shortest constructive mileage via the several points of pick-up or delivery, subject to additional charges which are necessary to compensate for the extra time which it may reasonably be expected will be consumed in performing the extra service.

The bedding rule provides that whenever the carrier beds the equipment additional charges of 75 cents per single deck truck unit, \$1.00 per double deck truck unit, per single deck truck and trailer or single deck tractor and semi-trailer unit, and \$1.50 per double deck truck and trailer or double deck tractor and semi-trailer unit, shall be assessed. These charges will cover the furnishing of material, the performance of the service, or both. They conform closely with the charges assessed by the rail lines for bedding rail cars and should tend to place the two forms of transport on an approximate parity in this regard, as well as compensate the carriers for the expense of materials and labor incurred in providing suitable bedding.

The rule for alternating minimum truck rates with rail rates and with combinations of truck and rail rates is the same as the rule ordinarily used in connection with general merchandise rates. It permits observance by truck carriers of the rail rate for transportation from and to the railhead points, plus the truck rate for movement from or to off-rail points, wherever such rail rate or combination rate makes less than the through truck rate. Highway carrier witnesses urged that recognition be given to the ambulatory nature of livestock which enables it to be driven for fairly short distances at an assertedly inconsequential cost to the shipper, by extending the application of the railhead rates to off-rail points nearby. Some witnesses suggested that railhead rates be permitted to apply from and to points within a radius of 5 miles from the rail station or rail loading

point. Other testimony indicates, however, that driving livestock, even for distances as short as 3 or 5 miles, entails a labor expense for caretakers, and sometimes for horses. In addition, there is some shrinkage loss in the weight of stock when they are driven even for such short distances. The cost of driving livestock to or from railheads cannot be determined definitely on this record but it seems reasonable to conclude that this cost is no lower than the volume of the highway carriers' rates established herein as a minimum for distances up to 3 miles. To ignore this cost, by extending railhead rates to points located even as close as 3 or 5 miles from the rail loading point, would extend an unfair concession to highway carriers, result in unequal competitive relationship between rail lines and highway carriers, and perhaps create a discrimination as between shippers.

The record in this proceeding contains no request for the establishment of maximum rates for highway carriers, nor does there appear to be a need therefor at present. Consequently, maximum highway carrier rates are not established herein.

Rail Rates

As pointed out by numerous witnesses and as conceded by the rails, intrastate rates on fat stock bear no uniform or consistent relationship to rates on feeder stock and rates on the several kinds of stock are not related to each other according to any uniform plan. Often there are published for identical transportation (1) a scale of mileage rates in cents per 100 pounds, (2) a scale of mileage rates in dollars per car, and (3) specific point-to-point rates upon either a cents per 100 pounds or dollars per car basis. This condition not only results in extreme tariff complexity, but also creates discriminations between shipping and marketing points and between kinds of stock and sizes of shipments. In addition, serious disparities in rail rates exist with respect to distances and territories. Large areas are often blanketed by means of special commodity rates. Rate levels in certain parts of the state are sometimes lower, and sometimes higher, than rates for the transportation of the same kind of stock for similar distances in other parts of the state, although operating conditions and incidents of transportation may be relatively the same.

Another grave defect in the California rail rate structure, from a public standpoint at least, is that it is inconsistent with and is not related to the Mountain-Pacific scale prescribed by the Interstate Commerce Commission in Docket 17000, supra, and established for interstate transportation between points within California and between points in California on the one hand and points in neighboring states on the other hand. Other circumstances being equal, the competitive position of California livestock interests is, of course, prejudiced in

those instances where rates from California producing areas to California markets are higher than rates from outside producing territories to those same markets. In view of the condition of the intrastate livestock rate structure, the prescription of maximum rail rates is clearly essential in order that excessive rail rates may be brought to a reasonable level and related to the service performed. However, the prescription of minimum rail rates does not appear necessary at this time. Although certain rail rates are undoubtedly well below a maximum reasonable level, there is nothing in the record to indicate that the reductions below the truck rate herein found reasonable have been effected solely for the purpose of destroying truck competition. On the contrary, it seems probable that such reduced rates have been established in order to move traffic which could not bear higher rates. On this record, then, only maximum rates should be prescribed for rail transportation.

In view of the fact that present rail rates are published sometimes in dollars per car and at other times in cents per 100 pounds, a matter of first importance is to determine what form of stating rates should be adopted in prescribing rail rates for the future. As hereinbefore pointed out, the principal reasons advanced in favor of the dollars per car basis are (1) that it is convenient, (2) that it eliminates the necessity of weighing the stock, and (3) that from a cost standpoint, differences in per car weights are of little significance. On the other hand, those who advocate the cents per 100 pounds basis argue (1) that this basis gives greater recognition to the value of the service performed, (2) that it gives greater recognition to the value of the commodity and the potential liability of the carrier for damages, (3) that it discourages unduly heavy loading of equipment to the point of overcrowding and thus tends to reduce claims, (4) that it facilitates the relating of rates to and the comparison of rates with those on other commodities, and (5) that it affords the proper basis for equalizing competitive rates of truck, rail or vessel carriers which offer different kinds and sizes of equipment. The arguments presented appear to weigh heavily in favor of the cents per 100 pounds basis. Moreover, there is a distinct trend toward the use of that method of stating rates throughout the United States. The Docket 17000 scale prescribed by the Interstate Commerce Commission was set forth in cents per 100 pounds²⁸ and cents per 100 pounds basis is in use in

²⁸In its decision in Docket 17000, supra, the Interstate Commerce Commission said:

"Within Mountain-Pacific territory the customary method of publishing rates is in amounts per car, and considerable difference of opinion developed as to whether or not rates in that territory should be continued upon that basis. Rates on a per car basis tend to heavier loading of livestock; but heavier loading is not in the interest of either shippers or carriers where it is carried to the point of overcrowding, as overcrowding very commonly results in trampling, and in hot weather in suffocation of the livestock, with consequent loss and damage claims. It seems evident that the cents-per-hundred-pounds basis, under which the shipper pays charges on the actual weight shipped, is fairer from every standpoint than the per car basis." (Emphasis supplied.)

many western States. Also, this Commission has itself used the cents per 100 pounds basis in prescribing the 26414 scale in Case No. 2900 and related cases as well as in numerous subsequent decisions wherein the 26414 scale was adopted. The rates prescribed for rail carriers in this proceeding will therefore be stated in cents per 100 pounds. In determining a reasonable maximum level of rates for transportation within this State, it seems evident that, in the absence of a specific showing as to differences, if any, in transportation conditions, or other possible justification therefor, the rails should not be authorized to maintain rates higher than those prescribed by the Interstate Commerce Commission in the Docket 17000 scale (as increased under Ex. Parte 123) for interstate transportation throughout the entire western territory, including California.²⁹ As a matter of fact, the rates proposed by rails themselves are, with the exception of rates for the transportation of certain livestock for distances more than 300 miles, lower than or approximately the same as corresponding rates in the 17000 scale. The reason advanced by rails for proposing rates higher than the 17000 scale for long distance hauling was that truck competition was less severe for long haul transportation. Another reason was that rates provided in the 17000 scale for the longer distances were designed to return minimum costs only³⁰ and that the rails must depend upon long haul noncompetitive livestock traffic to bear the greater share of overhead costs. Additional reasons given in justification of the higher rates proposed were that in prescribing relatively low feeder rates, the Interstate Commerce Commission contemplated that the rails would receive an outbound haul from the feeding point at the balance of the through rate for fat livestock from point of origin to ultimate destination, and that inasmuch as a single line of rates is proposed by the rails for both fat and feeder cattle, the scale should lie somewhere between the interstate fat and feeder rates. While the foregoing arguments have elements of merit there are other considerations which indicate strongly that the 17000 fat and feeder scale should, with one exception to be hereinafter explained, be

²⁹In its decision in Docket 17000, supra, the Interstate Commerce Commission said:

"With interstate traffic moving in the western district under 10 different rate scales prescribed or approved by us at various times, and under numerous other rate bases initiated by the carriers and containing numerous inconsistencies which we cannot herein take the time to describe, and intrastate traffic moving under various bases imposed by State authority, it has become evident through this inquiry that a much greater degree of uniformity in rates and practices can and shall obtain. Unnecessary variety in rates and practices tends to create undue prejudice and preference, thereby imposing undue burdens or giving undue advantage as between various localities and parts of the country, a situation which the law seeks to avoid."

³⁰The Interstate Commerce Commission said in Docket 17000 Decision (176 I.C.C. 1,821):

"Judged by these standards, livestock in portions of the western district is not at present bearing its fair share of the transportation burden, and under the rate levels herein found reasonable, it will do no more than meet these minimum requirements."

adopted as a maximum scale for fat and feeder livestock transportation in California. The first of these considerations is, of course, the prejudice to California interests resulting from the existence of lower interstate rates. The second is that while the rails have the right to meet truck competition for short hauls, they may not reasonably expect to penalize shippers who must use rail transportation for long hauls. In determining a proper maximum scale, therefore, the Commission should not give undue weight to the fact that rail carriers may, in some instances, find it necessary to reduce their rates below a maximum level in order to compete with other forms of transport. Moreover, the argument that rates higher than the Docket 17000 rates are justified on feeder livestock for distances over 300 miles by the necessity of maintaining a single scale of rates on fat and feeder stock to meet truck competition is inconsistent with the original statement that truck competition is less consequential in connection with long haul transportation. If it is truck competition that dictates a single scale of rates for hauls under 300 miles it is difficult to find any reason why separate scales of fat and feeder livestock rates could not be maintained by the rail lines for the longer hauls where truck competition is not actively present.

It does appear, however, that a factor upon which the Interstate Commerce Commission relied most strongly in prescribing lower rates for feeder than for fat livestock was that the rails would obtain an outbound haul from the feeding points.²¹ This is in conformity with the recognized principle that inbound rail rates on raw materials may be relatively low in order to encourage the outbound rail movements of manufactured or finished products. It does not appear, however, that on intrastate movements in California the rails regularly obtain a double haul, first upon the feeder, and, second, upon the fat livestock; for, although the inbound movements into feeder points are frequently by rail at the lower feeder rate, the majority of the outbound movements from feeding points to market are made by truck or by driving. It seems reasonable and consistent, therefore, to limit the maximum application of the 17000 feeder scale for intrastate rail transportation to instances where the rails obtain a subsequent movement of fat stock from the feeding point to final destination. Subject to the exception and limitation mentioned, the Docket 17000 Mountain-Pacific fat and feeder scales, as increased under Ex Parte 123, will be prescribed as maximum for rail transportation of fat and feeder livestock, respec-

²¹In Docket 17000, Part 9, Livestock, the Interstate Commerce Commission said: "Rates on stockers and feeders are made primarily for the purpose of moving the stock to pastures where better feeding conditions are obtainable, and from which it is always necessary again to transport the same stock with added weight. The principal reasons advanced by livestock shippers in favor of lower rates on feeder or stocker animals are that carriers transport the stock several times, that where they are shipped to country points and there fed, a greater tonnage is moved out of the feeding points." (176 I.C.C. 1, 102-103)

tively, in California. The rails may of course, if they so desire, go below the Docket 17000 scale to the level of their proposed scale or to the level of the rate herein established for highway carriers for the same transportation.

The proposal that rates from and to the mountainous territory north of Willits, Chico and Keddie be based on constructive mileage overlooks the fact that the Docket 17000 scale was itself established differentially higher in Mountain-Pacific territory than for Western and Southwestern territories²² to compensate for the more arduous rail operating conditions encountered west of the Rocky Mountains. This being true, the prescription of a higher basis for the northern California territory as a whole does not appear justified.

Nor does the rails' proposal that a joint line arbitrary of 2½ cents per 100 pounds be added to the basic scale for rail hauls involving two or more lines appear warranted in connection with joint movements over major railroads. The Docket 17000 scale makes no provision for joint line arbitraries and the adoption of either the joint line arbitrary or constructive mileage proposal would serve largely to nullify the result herein sought to be attained, namely, the establishment of maximum rail rates consistent with the rate level for interstate livestock movement. In this respect, we may in these proceedings properly heed the suggestion of the Interstate Commerce Commission in Docket 17000 and effect a harmony between intrastate and interstate livestock rates.²³

There are a number of railroads in California which are not required by the Interstate Commerce Commission to maintain the 17000 scale because of their relatively short mileage, light traffic density or poor financial conditions.²⁴ The establishment of the 17000 scale of rates as maxima for local movements over these lines should be similarly excluded here. In several proceedings involving intrastate rates under the 26414 scale, this Commission adopted an arbitrary of 6½ cents per 100 pounds to be added to rates prescribed in that scale²⁵ for

²² "Western territory" comprises generally Iowa, Missouri, Nebraska, Kansas, North and South Dakota. "Southwestern territory" comprises generally Arkansas, Oklahoma, Texas and Louisiana.

²³ The Commission said: "As this is a proceeding conducted cooperatively with the State Railroad commissions, no order with respect to intrastate rates will be entered at this time, but the States will first be accorded an opportunity voluntarily to effect such changes in their rate structures as may be necessary to avoid violations of Section 13(4) of the interstate commerce act." (174 I.C.C. 1, 122)

²⁴ They are the Amador Central Railroad Company, The Arcata and Mad River Railroad Company, Bay Point and Clayton Railroad Company, Bucksport and Elk River Railway Company, California Central Railroad Company, California Shasta and Eastern Railway Company, California Western Railroad and Navigation Company, Camino, Placerville and Lake Tahoe Railroad Company, Indian Valley Railroad Company, McCloud River Railroad Company, Modesto and Empire Traction Company, Nevada County Narrow Gauge Railroad Company, Pacific Coast Railway Company, Quincy Railroad Company, Santa Maria Valley Railroad Company, Sierra Railroad Company, Stockton Terminal and Eastern Railroad, Sunset Railway Company, Tonopah and Tidewater Railroad Company, Ltd., Trona Railway Company, Ventura County Railway Company, Yosemite Valley Railway Company, Yreka Western Railroad Company.

²⁵ See Decision No. 27420 in Case No. 3803, and Decision No. 30489 in Cases Nos. 3833, 3846 and 3849.

joint hauls involving movements over certain short line railroads. Such an arbitrary will be adopted here in prescribing through rates for transportation involving joint hauls between the major railroads and one or more of the railroads named in footnote 37.

The request of the livestock interests that the rails be required to establish and maintain round-trip rates computed by application of the Docket 17000 feeder rates to the round-trip continuous mileage, does not appear justified in view of the basis herein recommended. From a transportation standpoint, round-trip movements are not essentially different from two movements of feeder rates. On a level designed only to meet the carriers' minimum revenue requirements, further reductions for round-trip movements do not appear necessary.

The foregoing observations and conclusions relate to the prescription of a maximum rail scale. In Application No. 19636 (here involved) the rails seek to increase their existing general rate level and it becomes necessary, therefore, to determine whether or not the rails will be justified in increasing those rates which are lower than those prescribed by the Interstate Commerce Commission in Docket 17000 and herein found reasonable as maximum rates. Except for the greater distances, the scale proposed by the rails in connection with fat cattle and sheep is substantially lower than the Docket 17000 scale, and the increase of lower rates to the level of the proposed rail scale appears justified, particularly in view of the fact that the rails will undoubtedly find it necessary to establish rates well below even their proposed scale, in many instances, in order to place themselves on a parity with track carriers. Increases of lower rates to the level of the proposed rail scale will be authorized, except that increases in round-trip rates will only be authorized to the level of rates which would accrue under the rails' proposed scale, using round-trip mileage plus \$10.00 per car, the basis which they signified a willingness to maintain.

While this decision does not contemplate that minimum rail rates will be established, it appears extremely desirable that all rail "per car" rates be converted to a cents per 100 pounds basis. Average loading weights are not available in this record, hence a basis for such conversion cannot be set forth. The rail lines will be directed, however, to ascertain average loading weights and effect such conversions concurrently with the publication of the rates herein prescribed.

Rules and Regulations Governing the Prescribed Rail Rates

It is expected that the governing rules and regulations prescribed by the Interstate Commerce Commission in connection with the Docket 17000 scale will also, with one exception, be made applicable to intrastate transportation. The feeding-in-transit charge prescribed in connection with the Docket 17000 scale is 8½ cents per 100 pounds and

results in minimum per car charges ranging from \$10.00 on sheep to \$20.40 on cattle. The present intrastate charge is \$6.44 per car for all classes of stock, regardless of the size of the shipment, and the rail lines proposed a uniform charge of \$10.00 per car for all stock. Representatives of the livestock industry offered no objection to this proposal. A feeding-in-transit charge of \$10.00 per car will be established in lieu of the 8½ cents per 100 pounds charge prescribed for interstate transportation.

Issuance of Shipping Document

The issuance of a freight bill by the carrier showing the name of the shipper, the point of origin and the point of destination of the shipment, a description of the commodity or commodities shipped, the weight thereof and the rate and charges assessed, and the preservation by the carrier of a copy thereof for a reasonable period of time, are manifestly necessary to the proper operation of enforcement. The order herein will require all carriers to issue an appropriate shipping document for each shipment transported, containing all the information necessary to a determination of the established minimum charge.

Quotation of Rates in a Form Inconsistent with the Form of the Minimum Rates

The practice of some carriers in quoting charges on a "flat" basis, or in other forms inconsistent with the form in which minimum rates are stated, results in serious enforcement difficulties inasmuch as it is impossible to ascertain until after the work has been performed and all factors necessary to compute the minimum rates are known, whether or not the quoted charge is in compliance with the minimum rate order. It also results in considerable inconvenience and dissatisfaction on the part of shippers and consignees due to the fact that the quoted rates must be disregarded whenever they result in lower aggregate charges than would accrue under the established minimum rates.

The order herein will require that rates be quoted and assessed in a form consistent with the form of the established minimum rates, i.e., in cents per 100 pounds. In the event deviations from this requirement are found necessary in particular instances, applications for authority to quote rates on a basis different from that in which the minimum rates are stated should be filed, such applications should show the basis sought to be quoted and how it is to be insured that the quotation will not be less than the charge applicable under the established minimum rates.

Long and Short Haul Departures

Article XII, Section 21 of the State Constitution makes it unlawful for a railroad or other transportation company to charge less for the

transportation of property for longer than for shorter distances over the same line or route, the shorter being included within the longer distance, unless authority to do so shall first have been secured from the Commission.²⁶ Of necessity, the granting to carriers of permission to meet the rates of competing for-hire carriers between the points served by such competing carriers, and requiring at the same time that they observe the established minimum rates otherwise, will result in rates which, in some instances, are less for longer than for shorter distances over the same line or route.

It is apparent that the presence of competition at the more distant point and its absence at intermediate points justifies such departures as may result from the application of the minimum rates here established. In so far as any carriers affected by this order, other than those subject to the Public Utilities Act, may be deemed to be "transportation companies" within the meaning of Article XII, Section 21 of the State Constitution, authority will be granted such carriers to depart from the provisions of that section to the extent necessary to enable them to observe the provisions of the order herein. All common carriers subject to the provisions of the Public Utilities Act, desiring similar authority, should file application therefor under Section 24(a) of that Act.

FINDINGS

Upon consideration of all the facts of record, the Commission finds:

1. That the rates, charges, accessorial charges, rules and regulations set forth in the tariff designated as Appendix "C" of the order herein are justified and should be established as just, reasonable and nondiscriminatory minimum rates, charges and accessorial charges to be assessed, charged and collected, and just, reasonable and nondiscriminatory minimum rules and regulations to be observed in applying such rates, charges and accessorial charges, by all radial highway common carriers and highway contract carriers, for the transportation and accessorial services for which rates, charges, accessorial charges, rules or regulations are therein provided.

2. That the basis for computing and constructively increasing highway mileages, prescribed by the Commission in Decision No. 31605 of December 27, 1938, in Case No. 4088, Part "N", Case No. 4145 and Case No. 4246, modified as provided in said tariff designated as Appendix "C" of the order herein, will be just, reasonable and nondiscriminatory for use in applying mileage rates set forth in said tariff, and should be adopted for that purpose.

²⁶As to common carriers subject to the provisions of the Public Utilities Act, this prohibition is also carried in Section 24 (a) of that Act.

3. That subject to the terms and conditions of Items 150 and 160 of said tariff, designated as Appendix "C" of the order herein, all radial highway common carriers and highway contract carriers should be authorized to assess, charge and collect rates, charges and accessorial charges of common carriers, lawfully on file with this Commission and in effect on the date of movement, to construct combinations therewith and to observe the rules and regulations governing the common carrier rate, charge or accessorial charge used, whenever such rates, charges and accessorial charges, or combinations therewith, applied subject to their governing rules and regulations, produce lower aggregate charges than would accrue for the same transportation under the rates, rules and regulations and accessorial charges found just, reasonable and non-discriminatory in Findings Nos. 1 and 2.

4. That except as provided in Finding No. 3, all radial highway common carriers and highway contract carriers should be required to assess, charge and collect, for the transportation or accessorial services to which said tariff designated as Appendix "C" of the order herein is applicable, rates, charges, and accessorial charges no lower in volume or effect than those set forth in said tariff, and to observe rules and regulations no lower in volume or effect than those set forth therein.

5. That the existing rates, charges, rules, regulations and accessorial charges maintained by highway common carriers are and will for the future be unreasonable, insufficient and not justified by the actual competitive rates of competing carriers or by the cost of other means of transportation, in so far as they are lower in volume or effect than those found just, reasonable and non-discriminatory, or justified, by Findings Nos. 1, 2 and 3 for the performance of the same transportation and the same accessorial services by radial highway common carriers and highway contract carriers.

6. That the existing rates and charges of common carriers by railroad, for the transportation of ordinary livestock, are unreasonable and excessive to the extent they exceed the rates and charges set forth in Item 100, Appendix "D" of the order herein.

7. That common carriers by railroad should be authorized to increase existing rates to the extent shown in Items 110 and 120, Appendix "D" of the order herein, and that the resulting increased rates are justified.

8. That common carriers by railroad should be required to convert to a cents per 100 pounds basis all rates and charges for the transportation of livestock now published in dollars and cents per car, the conversion to be on the basis of average loading weights and the resulting rates to be subject to the minimum weights set forth in Appendix "D" of the order herein.

9. That all carriers who may be deemed to be transportation companies, as that term is employed in Article XII, Section 21 of the Constitution of California, other than carriers subject to the Public Utilities Act, should be authorized to charge less for longer than for shorter distances, to the extent necessary to meet the rates of competitive forms of for-hire transport for the same transportation, under the terms and conditions and in the manner provided in said tariff designated as Appendix "C" of the order herein.

10. That no radial highway common carrier or highway contract carrier should be permitted to quote, assess, charge, collect or observe rates, rules, regulations or accessorial charges in a unit of measurement different from that in which the rates herein provided as minimum for the same transportation are stated.

11. That all common carriers, radial highway common carriers and highway contract carriers should be ordered and directed to issue a shipping document for each shipment received for transportation, showing thereon the names of the shipper and consignee, the point of origin and point of destination of the shipment, a description of the kind and number of head of livestock shipped, a statement of the weight of the shipment, a statement of the rate assessed and the charges collected, and a statement of such other information as may be necessary to an accurate determination of the minimum rate and charge applicable under the order herein; and should be required to retain and preserve a copy of said shipping document, subject to the Commission's inspection, for a period of not less than three (3) years from the date of its issuance; and that the form of shipping document set forth in Appendix "B" of the order herein will be suitable and proper.

ORDER

Public hearings having been held in the above entitled proceedings and based on the evidence received at the hearings and upon the conclusions and findings set forth in the preceding opinion, IT IS HEREBY ORDERED:

1. That the rates, charges, accessorial charges, rules and regulations set forth in the tariff designated as Appendix "C" which by this reference is incorporated in and made a part of this order, be and they are hereby established and approved effective sixty (60) days after the effective date hereof as the just, reasonable and non-discriminatory minimum rates, charges and accessorial charges to be assessed, charged and collected and the rules and regulations to be observed by any and all radial highway common carriers and highway contract carriers, as defined in the Highway Carriers' Act, for the transportation of livestock, as described therein, between the points

for which rates and charges are therein provided, and for accessorial charges rendered incidental thereto.

2. That the basis for constructively increasing highway mileages prescribed by the Commission in Decision No. 31605 of December 27, 1938, in Case No. 4088, Part "N", Case No. 4145 and Case No. 4246, be and it is hereby adopted, established and approved as the just, reasonable and non-discriminatory basis for computing mileages for use in applying mileage rates set forth in said tariff designated as Appendix "C" hereto.

3. That all radial highway common carriers and highway contract carriers be and they are hereby authorized to assess, collect and charge common carrier rates and accessorial charges, to construct combinations therewith, and to observe common carrier rules and regulations, lawfully on file with the Commission and in effect on the date of movement, subject to the terms and conditions and in the manner explained in Finding No. 3 of the preceding opinion and in Items Nos. 150 and 160 of said tariff designated as Appendix "C" hereto.

4. That all radial highway common carriers and highway contract carriers, as defined in the Highway Carriers' Act, be and they are hereby ordered and directed to cease and desist sixty (60) days after the effective date of this order, and thereafter abstain from assessing, charging or collecting rates, charges or accessorial charges lower in volume or effect than those set forth or referred to in said tariff designated as Appendix "C" hereto, and from observing rules or regulations lower in volume or effect than those set forth or referred to therein, except as provided in ordering paragraph No. 3 hereof.

5. That all radial highway common carriers and highway contract carriers be and they are hereby ordered and directed to cease and desist sixty (60) days after the effective date of this order and thereafter abstain from quoting, assessing, charging, collecting rates or accessorial charges based upon a unit of measurement different from that in which the rates and charges herein established as minimum are stated.

6. That all highway common carriers maintaining rates, charges, rules or regulations or accessorial charges found by Finding No. 5 in the preceding opinion to be unreasonable, insufficient and not justified by the actual competitive rates of competing carriers or by the cost of other means of transportation, be and they are hereby ordered and directed to cancel said ratings, rates, charges, rules and regulations on or before sixty (60) days after the effective date of this order on not less than five (5) days' notice to the Commission and to the public, and to establish in their stead rates, charges, rules, regulations

and accessorial charges no lower in volume or effect than those found just, reasonable and non-discriminatory, or justified, for radial highway common carriers and highway contract carriers, by Findings Nos. 1, 2 and 3 in the preceding opinion.

7. That all highway common carriers, as defined in the Public Utilities Act, be and they are hereby ordered and directed to cease and desist sixty (60) days after the effective date of this order and thereafter abstain from publishing or maintaining in their tariffs rates, charges, accessorial charges, rules or regulations lower in volume or effect than those found just, reasonable and non-discriminatory, or justified, for radial highway common carriers and highway contract carriers, by Findings Nos. 1, 2 and 3 in the preceding opinion.

8. That effective sixty (60) days after the effective date of this order, this order shall cancel and supersede rates, rules and regulations heretofore established for the transportation of livestock between points for which rates, rules and regulations are established herein.

9. That all common carriers by railroad maintaining rates found by Finding No. 6 of the preceding opinion to be unreasonable and excessive be and they are hereby ordered and directed to cancel said rates on or before sixty (60) days after the effective date of this order, on not less than five (5) days' notice to the Commission and to the public, and to establish in their stead rates no higher than those set forth in Item 100 of Appendix "D" attached hereto and by this reference made a part hereof.

10. That, subject to the rules and regulations provided in said Appendix "D" hereto, common carriers by railroad be and they are hereby ordered and directed to cease and desist sixty (60) days after the effective date of this order and thereafter abstain from publishing or maintaining in their tariffs rates higher in volume or effect than those set forth in Item 100 of said Appendix "D".

11. That all common carriers by railroad be and they are hereby authorized to increase existing rates for the transportation of livestock, not earlier than sixty (60) days from the effective date of this order and on not less than five (5) days' notice to the Commission and to the public, to the extent shown in Items 110 and 120 of said Appendix "D" hereto.

12. That all common carriers by railroad be and they are hereby ordered and directed to convert to a cents per 100 pounds basis, on or before sixty (60) days from the effective date of this order and on not less than five (5) days' notice to the Commission and to the public, all rates and charges for the transportation of livestock now published in dollars and cents per car, or in some other form, the conversion to be on the basis of present average loading weights and the resulting

rates to be subject to the minimum weights set forth in Appendix "D" hereto.

13. That all carriers who may be deemed to be transportation companies, as that term is employed in Article XII, Section 21 of the Constitution of California, other than carriers subject to the Public Utilities Act, be and they are hereby authorized to charge less for longer than for shorter distances, to the extent necessary to meet the rates of competitive forms of for-hire transport for the same transportation, under the terms and conditions and in the manner provided in said tariff designated as Appendix "C" of the order herein.

14. That all common carriers, radial highway common carriers and highway contract carriers be and they are hereby ordered and directed to issue a shipping document for each shipment received for transportation, showing thereon the names of the shipper and consignee, the point of origin and point of destination of the shipment, a description of the kind and number of head of livestock shipped, a statement of the weight of the shipment, a statement of the rate assessed and the charges collected, and a statement of such other information as may be necessary to an accurate determination of the minimum rate and charge applicable under the order herein; and shall retain and preserve a copy of said shipping document, subject to the Commission's inspection, for a period of not less than three (3) years from the date of its issuance; and that the form of shipping document set forth in Appendix "B" hereto will be suitable and proper.

15. That the Commission shall have and it does hereby retain jurisdiction of these proceedings for the purpose of altering or amending the rates, charges, rules and regulations hereby established or prescribed, and for the purpose of establishing or approving such other just, reasonable and non-discriminatory maximum or minimum or maximum and minimum rates, charges, rules and regulations to be charged and collected by radial highway common carriers, highway contract carriers and common 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 commodities here involved between all competing agencies of transportation.

The effective date of this order shall be thirty (30) days from the date hereof.

Dated at San Francisco, California, this 11th day of April, 1939.

RAY C. WAKEFIELD,
FRANK R. DEVLIN,
RAY L. RILEY,
C. C. BAKER,
JUSTIN P. CRAMER,
Commissioners

The undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the order of the Board of Public Utilities Commissioners, as the same appears from the records of said Board, and that they are the said Commissioners.

Subscribed and sworn to before me this 11th day of April, 1939.

Notary Public for California.

APPENDIX "A"

List of Appearances

- Aiken, B. R., by Henry M. Sanders, for Martinez-Penicia Ferry Company.*
- Allen, Kent, for Hendrix Truck Corporation.*
- Andrus, Leon E., for Andrus & Teichert Trucking Co.*
- Anthony, C. G., for Cantlay & Tanzola, Inc.*
- Arturo, P. J., for Swift & Company.*
- Baugh, H. W., for Motor Truck Association of Southern California and Southwestern Motor Tariff Bureau.*
- Bischoff, H. J., for Certificated Highway Carriers, Inc., Southern California Freight Lines and Southern California Freight Forwarders.*
- Blainger, E., for Pacific Electric Railway.*
- Boyd, H. T., for South San Francisco Union Stockyard Company.*
- Bradshaw, L. N. and John L. Amon, Jr., for Western Pacific Railroad Company, Sacramento Northern Railway, Tidewater Southern Railway Company and Delta Finance Co., Ltd.*
- Brooks, Clifton E., for Fruit Research Council of California.*
- Burgin, C. O., for Port of Stockton.*
- Burgin, C. O. and J. C. Sommers, for Stockton Traffic Bureau.*
- Carver, J. A., for Rice Growers' Association of California.*
- Cole, H. E., for California Growers & Shippers Protective League.*
- Cooper, A. L. and Arthur H. Glanz, for Cudahy Packing Company.*
- Curry, John, for California Cattlemen's Association and California Wool Growers' Association.*
- Deust, J. J., for California Farm Bureau Federation.*
- Differding, T. G., for Oakland Chamber of Commerce.*
- Dill, Harold W., for Truck and Warehouse Association of San Diego and Imperial Counties.*
- Downey, Wallace K., for Pacific Freight Lines and Keystone Express System.*
- Duffy, G. E. and George T. Hurst, for The Atchison, Topeka & Santa Fe Railway and Santa Fe Transportation Company.*
- Fitzgibbon, P. S., for Mutual Orange Distributors.*
- Foley, L. L., for Swift & Company.*
- Farman, E. J., for Globe Grain and Milling Company, Los Angeles Grain Exchange and California Hay, Grain and Feed Association.*
- Green, Sam H., for California Dairy Council.*
- Huntton, J. M., for Valencia Truck Company.*
- Jacobsen, Phil, for Cantlay & Tanzola, Inc.*
- Keith, Leonard R., for California Packing Corporation.*
- Lincoln, H. A., for Fibreboard Products Inc.*
- Maher, E. A., for Automotive Council of Orange County.*
- McCurdy, John E., for Poultry Producers' Association of Central California.*
- McCutcheon, Olney, Mannon & Greens, by F. W. Mielke, for The River Lines.*
- Neill, Robert C., for California Fruit Growers' Exchange.*

- Petty, Don E.*, for Livestock Haulers' Association and Bay Haulers' Association.
- Renswick, E. C. and W. H. Love*, for Union Pacific Railroad.
- Rhode, Walter A.*, for San Francisco Chamber of Commerce.
- Sawyer, R. S. and R. E. Crandall*, for Associated Jobbers & Manufacturers.
- Shoarer, D. G.*, for Certificated Highway Carriers, Inc.
- Simpson, J. C.*, for Wholesale Fruit & Produce Association of San Francisco.
- Sommers, J. C.*, for Stockton Chamber of Commerce.
- Stern, Edward*, for Railway Express Agency, Inc.
- Stewart, J. L.*, for Armour & Co.
- Stewart, L. H.*, for Fred Gill & Sons.
- Stewart, L. H. and Alex Gould*, for Sterling Meat Corporation, Cornelius Brothers, Ltd., Merchants Packing Company, Newmarket Company, Standard Packing Company, Union Packing Company, Coast Packing Company, United Dressed Beef Company, Gorman & Monheim Livestock Commission Co., D. H. Lillywhite Company, Southwest Commission Co., California Livestock Commission Co., Washburn & Condon, Great Western Livestock Commission Co., Hampton Livestock Commission Co.
- Stewart, L. H. and Malcolm E. Stewart*, for California Cotton Oil Corporation, J. G. Boswell Company and Producers' Cotton Oil Company.
- Stone, W. C.*, for Sacramento Chamber of Commerce.
- Thacker, Percy C.*, for Pioneer Truck and Transfer.
- Thompson, Roy B. and Edward M. Berol*, for Truck Owners' Association of California.
- Wade, H. M.*, for McClain Trucking Company.
- Walker, R. F.*, for Spreckels Sugar Co.
- Wedekind, R. E.*, for Southern Pacific Company, San Diego & Arizona Eastern Railway, Northwestern Pacific Railroad Company, Vinalia Electric Railway, Petaluma and Santa Rosa Railroad Company, Santa Maria Valley Railroad Company, Pacific Motor Transport and Pacific Motor Trucking Company.
- Wilcox, Charles*, for J. D. Maynard Co.
- Wilcox, Edwin O.*, for Canners' League of California and Dried Fruit Association of California.
- Walters, L. H.*, for Golden State Company, Ltd., and California Dairy Council.

APPENDIX "B"

LIVESTOCK SHIPPING ORDER AND FREIGHT BILL

Bill No. _____

Permit No. _____

NAME OF CARRIER _____
 (Name of Carrier must be the same as shown on Permit)

Name of Shipper _____ Name of Consignee _____

Address of Shipper _____ Address of Consignee _____

Precise Point of Origin _____ Precise Point of Destination _____

Number of Head	Kind of Stock (Note 1)	Show whether Fat or Feeder Livestock	Gross Weight of Shipment, Pounds (Note 2)	Rate (in cents per 100 pounds)	Charges

Accessorial Charges _____

Other Charges _____

Prepaid _____

TOTAL TO COLLECT _____

NOTE 1.—State whether cattle, calves, sheep or hogs, etc.
 NOTE 2.—State whether hoof weights, vehicle scale weights or estimated weights.

RECEIVED

LIVERSTOCK SHIPPING ORDER AND FREIGHT BILL

TO THE
FROM THE

SHIPMENT TO BE MADE
BY THE CARRIER

FOR

TO THE ORDER OF

APPENDIX "C"

DATE	NO. OF COPIES	NO. OF COPIES	OF	NO. OF COPIES	NO. OF COPIES

DECISION No. 31924

see

HIGHWAY CARRIERS'

TARIFF No. 3

ATTACHED

HERETO

THESE COPIES ARE TO BE
MAINTAINED IN THE
OFFICE OF THE
COMMISSIONER OF
TRADE AND COMMERCE
AND IN THE OFFICE OF
THE SECRETARY OF
THE INTERSTATE COMMERCE
COMMISSION.

NO. 31924

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

The Commission hereby orders that the rates, rules and regulations of the common carriers by railroad for the transportation of livestock in carloads between points in California shall be as follows:

SECTION 1. THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

do hereby order that the rates, rules and regulations of the common carriers by railroad for the transportation of livestock in carloads between points in California shall be as follows:

DECISION No. 31924

Section 1. The Commission hereby orders that the rates, rules and regulations of the common carriers by railroad for the transportation of livestock in carloads between points in California shall be as follows:

Issued by

THE RAILROAD COMMISSION

of the

STATE OF CALIFORNIA

Section 2. The Commission hereby orders that the rates, rules and regulations of the common carriers by railroad for the transportation of livestock in carloads between points in California shall be as follows:

Naming Rates, Rules and Regulations

SECTION 1. THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

The Transportation of Livestock in Carloads

between

Points in California

by COMMON CARRIERS BY RAILROAD

SECTION 2. THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

do hereby order that the rates, rules and regulations of the common carriers by railroad for the transportation of livestock in carloads between points in California shall be as follows:

SECTION 3. THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

do hereby order that the rates, rules and regulations of the common carriers by railroad for the transportation of livestock in carloads between points in California shall be as follows:

SECTION 4. THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

do hereby order that the rates, rules and regulations of the common carriers by railroad for the transportation of livestock in carloads between points in California shall be as follows:

APPENDIX "D"

Item No. 10—APPLICATION OF APPENDIX—TERRITORIAL

Rates, rules and regulations provided in the appendix herein will apply to transportation between all points within California served by railroad.

Item No. 20—APPLICATION OF APPENDIX—CARRIERS

Rates, rules and regulations provided in the appendix herein will apply to all single line and joint line rail movements, except single line movements over the lines of carriers named in Note 1.

Note 1.—Amador Central Railroad Company; The Arcata and Mad River Railroad Company; Bay Point and Clayton Railroad Company; Bucksport and Elk River Railway Company; California Central Railroad Company; California Shasta and Eastern Railway Company; California Western Railroad Navigation Company; Camino, Placerville and Lake Tahoe Railroad Company; Indian Valley Railroad Company; McCloud River Railroad Company; Modesto and Empire Traction Company; Nevada County Narrow Gauge Railroad Company; Pacific Coast Railway Company; Quincy Railroad Company; Santa Maria Valley Railroad Company; Sierra Railroad Company; Stockton, Terminal and Eastern Railroad; Sunset Railway Company; Tonopah and Tidewater Railroad Company, Ltd.; Trona Railway Company; Ventura County Railway Company; Yosemite Valley Railway Company;

Item No. 30—APPLICATION OF APPENDIX—COMMODITIES

Rates, rules and regulations provided in the appendix herein, will apply on Ordinary Live Stock, viz: Cattle, Calves, Hogs, Sheep, Lambs or Goats, except such as are chiefly valuable for breeding, racing, show purposes or other special uses.

Item No. 40—ARBITRARIES FOR JOINT LINE HAULS

For joint line hauls involving one or more of the carriers named in Item No. 20, Note 1, there will be added to the rates provided in Item No. 100, 6½ cents per 100 pounds.

Item No. 50—COMPUTATION OF DISTANCES

Rates shall be computed according to the rail mileage via the shortest route over which carload traffic can be moved without transfer of lading.

Item No. 60—FEEDER RATES

Feeder rates provided herein will apply only to livestock shipped for feeding or fattening purposes and upon which a common carrier by railroad receives a subsequent haul within a period of one year. Feeder

Item No. 60—FEEDER RATES (Concluded)

rates will not apply to shipments of livestock intended for slaughter within 30 days from date of arrival at destination.

Item No. 70—FEEDING-IN-TRANSIT

Rules and regulations of common carriers by railroad, in effect on the date of the order to which this is appended and applicable to interstate-movements of livestock fed in transit within California, shall apply in California, except that the transit charge for such privilege shall be \$10.00 per car.

Item No. 80—MISCELLANEOUS RULES AND REGULATIONS

Rules and regulations of respondent carriers in this proceeding applicable to the interstate transportation of livestock, and not inconsistent with the provisions of this appendix shall apply to the rates provided herein.

Item No. 90—MINIMUM WEIGHTS

Rates are subject to the following minimum carload weights for cars 36 feet 7 inches and under, (inside measurement), subject to

Note 1:

Fat Cattle	-----	24,000 pounds
Fat Calves	-----single deck-----	16,000 pounds
Fat Calves	-----double deck-----	22,000 pounds
Fat Hogs	-----single deck-----	16,500 pounds
Fat Hogs	-----double deck-----	24,000 pounds
Fat Sheep	-----single deck-----	12,000 pounds
Fat Sheep	-----double deck-----	20,000 pounds
Feeder Cattle	-----	22,000 pounds
Feeder Hogs	-----single deck-----	15,000 pounds
Feeder Hogs	-----double deck-----	22,000 pounds
Feeder Sheep	-----single deck-----	12,000 pounds
Feeder Sheep	-----double deck-----	20,000 pounds

NOTE 1—For each foot or fraction of a foot in excess of 36 feet 7 inches in length add the following to the minimum weights provided for cars 36 feet 7 inches in length:

On cattle, or hogs, in double deck cars	-----	650 pounds
On calves, in double deck cars	-----	625 pounds
On sheep and goats, in double deck cars	-----	525 pounds
On hogs, in single deck cars	-----	525 pounds
On calves, in single deck cars	-----	450 pounds
On sheep and goats, in single deck cars	-----	400 pounds

37	38	39	40	41	42	43	44
45	46	47	48	49	50	51	52
53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68
69	70	71	72	73	74	75	76
77	78	79	80	81	82	83	84
85	86	87	88	89	90	91	92
93	94	95	96	97	98	99	100

Item No. 100—MAXIMUM RAIL RATES
(Rates are in Cents per 100 pounds)

MILES		PAST LIVESTOCK			FUTURE LIVESTOCK		
Over	Not Over	Cattle	Cattle	Sheep and Goats	Cattle	Cattle	Sheep and Goats
		Calves, DD Hogs, DD Kheep, DD	Calves, MD Hogs, MD	and Goats, MD	Hogs, DD	Calves, MD Hogs, MD	and Goats, MD
0	10	13	15	16	10 1/2	13	14
10	20	14	16	17	12	14	15
20	30	15	17	18	13	15	16
30	40	16	18	19	14	16	17
40	50	17	19	20	15	17	18
50	60	18	20	21	16	18	19
60	70	19	21	22	16	19	20
70	80	20	22	23	18	20	21
80	90	21	23	24	19	21	22
90	100	22	24	25	19	22	23
100	115	24	26	28	20	24	25
115	120	25	27	29	21	25	26
120	145	27	29	31	23	27	28
145	160	29	31	33	24	28	29
160	175	30	32	34	25	29	30
175	190	31	33	35	26	30	31
190	205	31	34	36	27	31	32
205	220	32	35	37	28	32	33
220	240	34	37	39	29	33	34
240	260	35	40	41	30	34	35
260	280	36	41	42	31	35	36
280	300	37	42	43	32	36	37
300	320	38	44	45	33	37	38
320	340	39	45	46	34	38	39
340	360	40	47	48	34	40	42
360	380	41	48	49	35	40	44
380	400	43	49	50	35	41	45
400	420	44	51	51	37	43	47
420	440	45	52	52	38	44	48
440	460	46	53	53	39	45	49
460	480	47	54	54	40	46	50
480	500	48	55	55	41	47	51
500	525	50	57	57	43	49	53
525	550	51	58	58	43	50	54
550	575	52	60	60	44	51	55
575	600	53	61	61	45	52	56
600	625	54	62	62	46	53	58
625	650	55	64	64	47	54	59
650	675	57	65	65	48	55	60
675	700	58	67	67	49	56	61
700	725	59	68	68	50	57	62
725	750	60	69	69	51	58	63
750	775	61	71	71	52	60	64
775	800	62	72	72	53	61	65
800	825	64	73	73	54	62	67
825	850	65	74	74	55	63	69
850	875	66	76	76	56	64	70
875	900	67	77	77	57	65	71
900	925	69	79	79	58	67	73
925	950	69	80	80	59	68	74
950	975	70	81	81	60	69	75
975	1000	71	82	82	61	70	76
1000	1025	73	84	84	62	71	78
1025	1050	74	85	85	62	72	79
1050	1075	75	86	86	64	73	80
1075	1100	76	88	88	65	74	81
1100	1125	77	89	89	66	75	82
1125	1150	79	91	91	67	76	84
1150	1175	80	92	92	68	78	85
1175	1200	81	93	93	69	79	86

DD—Double deck cars.

SD—Single deck cars.

Item No. 110—RATES WHICH RAIL CARRIERS ARE AUTHORIZED TO ESTABLISH IN LIEU OF THEIR PRESENT RATES

(Rates are in Cents per 100 pounds)

MILES		FAT LIVESTOCK			
Over	But Not Over	Cattle Hogs, DD	Sheep, DD Calves, DD	Calves, ND Hogs, ND	Sheep, ND
0	10	10	12	12	15
10	20	12	14	14	17
20	30	13	15	16	19
30	40	14	16	17	20
40	50	15	17	18	21
50	60	16	18	19	22
60	70	17	19	20	23
70	80	18	20	21	24
80	90	19	21	22	25
90	100	20	22	23	26
100	110	21	23	24	27
110	120	22	24	25	28
120	130	23	25	26	29
130	140	24	26	27	30
140	150	25	27	28	31
150	160	26	28	29	32
160	170	27	29	30	33
170	180	28	30	31	34
180	190	29	31	32	35
190	200	30	32	33	36
200	210	31	33	34	37
210	220	32	34	35	38
220	230	33	35	36	39
230	240	34	36	37	40
240	250	35	37	38	41
250	260	36	38	39	42
260	270	37	39	40	43
270	280	38	40	41	44
280	290	39	41	42	45
290	300	40	42	43	46
300	310	41	43	44	47
310	320	42	44	45	48
320	330	43	45	46	49
330	340	44	46	47	50
340	350	45	47	48	51
350	360	46	48	49	52
360	370	47	49	50	53
370	380	48	50	51	54
380	390	49	51	52	55
390	400	50	52	53	56
400	410	51	53	54	57
410	420	52	54	55	58
420	430	53	55	56	59
430	440	54	56	57	60
440	450	55	57	58	61
450	460	56	58	59	62
460	470	57	59	60	63
470	480	58	60	61	64
480	490	59	61	62	65
490	500	60	62	63	66
500	510	61	63	64	67
510	520	62	64	65	68
520	530	63	65	66	69
530	540	64	66	67	70
540	550	65	67	68	71
550	560	66	68	69	72
560	570	67	69	70	73
570	580	68	70	71	74
580	590	69	71	72	75
590	600	70	72	73	76
600	610	71	73	74	77
610	620	72	74	75	78
620	630	73	75	76	79
630	640	74	76	77	80
640	650	75	77	78	81
650	660	76	78	79	82
660	670	77	79	80	83
670	680	78	80	81	84
680	690	79	81	82	85
690	700	80	82	83	86
700	710	81	83	84	87
710	720	82	84	85	88
720	730	83	85	86	89
730	740	84	86	87	90
740	750	85	87	88	91
750	760	86	88	89	92
760	770	87	89	90	93
770	780	88	90	91	94
780	790	89	91	92	95
790	800	90	92	93	96
800	810	91	93	94	97
810	820	92	94	95	98
820	830	93	95	96	99
830	840	94	96	97	100
840	850	95	97	98	101
850	860	96	98	99	102
860	870	97	99	100	103
870	880	98	100	101	104
880	890	99	101	102	105
890	900	100	102	103	106
900	910	101	103	104	107
910	920	102	104	105	108
920	930	103	105	106	109
930	940	104	106	107	110
940	950	105	107	108	111
950	960	106	108	109	112
960	970	107	109	110	113
970	980	108	110	111	114
980	990	109	111	112	115
990	1000	110	112	113	116

DD—Double deck cars.
ND—Single deck cars.

Item No. 110—RATES WHICH RAIL CARRIERS ARE AUTHORIZED TO ESTABLISH IN LIEU OF THEIR PRESENT RATES (Concluded) (Rates are in Cents per 100 pounds)

MILES		FEEDER LIVESTOCK			
Over	But Not Over	Cattle Hogs, DD	Sheep, DD Calves, DD	Calves, ND Hogs, ND	Sheep, ND
0	10	10	10	13	14
10	20	12	12	14	15
20	30	13	13	15	16
30	40	14	14	16	17
40	50	15	15	17	18
50	60	16	16	18	19
60	70	16	16	18	19
70	80	18	18	20	20
80	90	19	19	21	21
90	100	19	19	21	21
100	115	20	20	22	22
115	130	21	21	23	23
130	145	22	22	24	24
145	160	23	23	25	25
160	175	24	24	26	26
175	190	25	25	27	27
190	205	26	26	28	28
205	220	28	28	30	30
220	240	28	28	31	31
240	260	29	29	32	32
260	280	30	30	33	33
280	300	32	32	34	34
300	320	33	33	35	35
320	340	34	34	36	36
340	360	34	34	37	37
360	380	35	35	38	38
380	400	36	36	39	39
400	420	37	37	40	40
420	440	38	38	41	41
440	460	39	39	42	42
460	480	40	40	43	43
480	500	41	41	44	44
500	525	42	42	45	45
525	550	43	43	46	46
550	575	44	44	47	47
575	600	45	45	48	48
600	625	46	46	49	49
625	650	47	47	50	50
650	675	48	48	51	51
675	700	49	49	52	52
700	725	50	50	53	53
725	750	51	51	54	54
750	775	52	52	55	55
775	800	53	53	56	56
800	825	54	54	57	57
825	850	55	55	58	58
850	875	56	56	59	59
875	900	57	57	60	60
900	925	58	58	61	61
925	950	59	59	62	62
950	975	60	60	63	63
975	1000	61	61	64	64

DD—Double deck cars.
ND—Single deck cars.

**Item No. 120—ROUND TRIP RATES WHICH RAIL CARRIERS
ARE AUTHORIZED TO ESTABLISH IN LIEU OF THEIR
PRESENT RATES**

Subject to Notes 1, 2 and 3

Round Trip MILEN		Rates in Cents per 100 Pounds		Round Trip MILEN		Rates in Cents per 100 Pounds	
Over	But Not Over	Feeder Cattle	Feeder Sheep, DD	Over	But Not Over	Feeder Cattle	Feeder Sheep, DD
0	10	10½	12	850	875	64½	74
10	20	12	14	875	900	66	76
20	30	13	15	900	925	67	77
30	40	14	16	925	950	68	78
40	50	15	17	950	975	69½	80
50	60	16	18	975	1000	71	82
60	70	16	18	1000	1025	73	84
70	80	18	21	1025	1050	74	86
80	90	19	22	1050	1075	75	88
90	100	19	22	1075	1100	76	87
100	113	20	23	1100	1125	77	89
113	130	21	25	1125	1150	79	91
130	145	22	26	1150	1175	80	92
145	160	24	28	1175	1200	81	93
160	175	25	29	1200	1225	82	94
175	190	25	29	1225	1250	83	95
190	205	26	30	1250	1275	85	98
205	220	28	32	1275	1300	86	99
220	240	28	32	1300	1325	87	100
240	260	29	32	1325	1350	88	101
260	280	30	33	1350	1375	89	102
280	300	32	35	1375	1400	90	104
300	320	32	35	1400	1425	91	105
320	340	34	36	1425	1450	92	106
340	360	35	40	1450	1475	93	107
360	380	36½	42	1475	1500	95	109
380	400	38	44	1500	1525	96	110
400	420	39	45	1525	1550	97	112
420	440	40	46	1550	1575	98	113
440	460	41	47	1575	1600	99	114
460	480	42½	49	1600	1625	100	115
480	500	44	51	1625	1650	102	117
500	525	45½	52	1650	1675	103	118
525	550	47	54	1675	1700	104	120
550	575	48½	56	1700	1725	105	121
575	600	50	58	1725	1750	106	122
600	625	51½	59	1750	1775	108	124
625	650	53	61	1775	1800	109	125
650	675	54½	63	1800	1825	110	127
675	700	56	64	1825	1850	111	128
700	725	57	66	1850	1875	112	129
725	750	58	67	1875	1900	113	130
750	775	59½	68	1900	1925	114	131
775	800	61	70	1925	1950	116	132
800	825	62	71	1950	1975	117	133
825	850	63	72	1975	2000	118	136

DD—Double Deck Cars.

NOTE 1.—Rates are subject to following minimum weights per car:

Feeder Cattle ----- 24,000 pounds

Feeder Sheep, DD----- 20,000 pounds

NOTE 2.—Rates are subject to a stop charge of \$10.00 per car in addition to the rates shown.

NOTE 3.—Revenue per car under the foregoing rates plus \$10.00 per car stop charge may not exceed the revenue per car based on twice the one way rates for feeder livestock shown in Item No. 100.

Appendix "C"
of
Decision No. 31924
Issued by
The Railroad Commission
of the
State of California

**Consisting of a Tariff naming minimum rates,
rules and regulations for the transportation
of Livestock between points in California**

by
Radial Highway Common Carriers
and
Highway Contract Carriers

Highway Carriers' Tariff No. 3

NAMING
MINIMUM RATES, RULES AND REGULATIONS
FOR THE
TRANSPORTATION OF LIVESTOCK OVER THE
PUBLIC HIGHWAYS WITHIN THE
STATE OF CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS
AND
HIGHWAY CONTRACT CARRIERS

The original tariff contains rates, rules and regulations as established in Decision No. 31924, in Case No. 4293. Changes contained in subsequent orders will be made by reissuing the pages on which the changes occur or by issuing supplements showing the corrected items.

EFFECTIVE JULY 10, 1939

Issued by the
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California

CORRECTION NUMBER CHECKING SHEET

This tariff is issued in loose leaf form. All added and revised pages will be numbered consecutively in the lower left hand corner. These correction numbers should be checked below on this checking sheet before pages are filed in tariff.

CORRECTION NUMBERS

1	41	81	121	161	201	241
2	42	82	122	162	202	242
3	43	83	123	163	203	243
4	44	84	124	164	204	244
5	45	85	125	165	205	245
6	46	86	126	166	206	246
7	47	87	127	167	207	247
8	48	88	128	168	208	248
9	49	89	129	169	209	249
10	50	90	130	170	210	250
11	51	91	131	171	211	251
12	52	92	132	172	212	252
13	53	93	133	173	213	253
14	54	94	134	174	214	254
15	55	95	135	175	215	255
16	56	96	136	176	216	256
17	57	97	137	177	217	257
18	58	98	138	178	218	258
19	59	99	139	179	219	259
20	60	100	140	180	220	260
21	61	101	141	181	221	261
22	62	102	142	182	222	262
23	63	103	143	183	223	263
24	64	104	144	184	224	264
25	65	105	145	185	225	265
26	66	106	146	186	226	266
27	67	107	147	187	227	267
28	68	108	148	188	228	268
29	69	109	149	189	229	269
30	70	110	150	190	230	270
31	71	111	151	191	231	271
32	72	112	152	192	232	272
33	73	113	153	193	233	273
34	74	114	154	194	234	274
35	75	115	155	195	235	275
36	76	116	156	196	236	276
37	77	117	157	197	237	277
38	78	118	158	198	238	278
39	79	119	159	199	239	279
40	80	120	160	200	240	280

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Issued by The Railroad Commission of the State of California,
San Francisco, California.

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Item
No.

SECTION NO. 1—RULES AND REGULATIONS

DEFINITION OF TECHNICAL TERMS

(a) CALVES means bovine animals weighing 450 pounds or less.

(b) CATTLE means bovine animals weighing more than 450 pounds.

(c) CARRIER means a radial highway common carrier or a highway contract carrier, as defined in the Highway Carriers' Act (Chapter 223, Statutes of 1935, as amended).

(d) CARRIER'S EQUIPMENT means any motor truck or other self-propelled highway vehicle, trailer, semi-trailer, or any combination of such highway vehicles, operated by the carrier.

(e) 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.

(f) POINT OF DESTINATION means the precise location at which livestock is tendered for physical delivery into the custody of the consignee or his agent.

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

(h) RAILHEAD means a point at which facilities are maintained for the loading of livestock into or upon, or the unloading of livestock from rail cars or vessels.

(i) RATE includes charge and also the minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.

(j) SAME TRANSPORTATION means transportation of the same kind and quantity of livestock and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.

(k) SHIPMENT means a quantity of livestock 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 also paragraphs (l) and (m)).

(l) SPLIT PICKUP SHIPMENT means a shipment consisting of several component lots, received during one day and transported under one shipping document from (a) one consignor at more than one point of origin, or (b) more than one consignor at one or more points of origin, the composite shipment being consigned and delivered to one consignee at one point of destination and charges thereon being paid by the consignee when there is more than one consignor.

(m) SPLIT DELIVERY SHIPMENT means a shipment consisting of several component lots 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, said shipment being shipped by one consignor at one point of origin, and charges thereon being paid by the consignor when there is more than one consignee.

(n) TEAM TRACK means a point at which livestock 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 receive and tender shipments of livestock from and to common carriers by vessel.

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Item No.	SECTION NO. 1—RULES AND REGULATIONS (Continued)
20	<p style="text-align: center;">APPLICATION OF TARIFF—CARRIERS</p> <p>Rates provided in this tariff are minimum rates, established pursuant to the Highway Carriers' Act (Chapter 223, Statutes of 1935, as amended) and apply for transportation of livestock by radial highway common carriers and highway contract carriers, as defined in said Act.</p> <p>When livestock in continuous through movement is transported by two or more carriers, the rates provided herein shall be the minimum rates for the combined transportation.</p>
30	<p style="text-align: center;">APPLICATION OF TARIFF—TERRITORIAL</p> <p>Rates in this tariff apply for transportation of livestock between all points in the State of California except shipments having both point of origin and point of destination within the same incorporated city.</p>
40	<p style="text-align: center;">APPLICATION OF TARIFF—COMMODITIES</p> <p>Rates in this tariff apply for the transportation of livestock, viz:</p> <p>Cattle Rates apply on: Cattle, Cows, Bulls, Oxen, Steers.</p> <p>Sheep Rates apply on: Sheep, Lambs, Goats, Bucks, Ewes, Kids, Calves, Sheep Camp Outfits (Subject to Item No. 110 Series).</p> <p>Hog Rates apply on: Hogs, Pigs, Sows, Swine, Stags.</p>
50	<p style="text-align: center;">SHIPMENTS TO BE RATED SEPARATELY</p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the carrier. Component parts of split pickup or split delivery shipments, as defined in Item No. 10 series, may be combined under the provisions of Items Nos. 130 and 140 series.</p>
60	<p style="text-align: center;">RATES BASED ON VARYING MINIMUM WEIGHTS</p> <p>When charges accruing on a shipment based upon actual weight exceed the charges computed upon a rate based upon a greater minimum weight, the latter shall apply. For the purpose of applying this item to a mixed shipment (See Item No. 70 series) the deficiency between actual weight of the shipment and the greater minimum weight shall be computed at the rate applicable to the lowest rated livestock in the shipment.</p>
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Item No.	SECTION NO. 1—RULES AND REGULATIONS (Continued)
70	<p style="text-align: center;">MIXED SHIPMENTS</p> <p>Rates on mixed shipments of livestock shall be assessed in accordance with the following:</p> <p>(a) Mixed shipments of cattle with calves, sheep, goats or hogs shall be subject to the rate and minimum weight applicable to cattle in straight shipments.</p> <p>(b) Mixed shipments of sheep or goats (or sheep and goats) with hogs shall be charged for at the rate and minimum weight applicable to hogs in straight shipments.</p> <p>(c) Mixed shipments of calves and hogs shall be charged for at the rate and minimum weight applicable to hogs in straight shipments.</p> <p>(d) Horses or other animals for which rates are not provided in this tariff, when shipped in mixed shipments with cattle, calves, sheep, goats or hogs, shall be charged for according to the type of stock with which they are included (cattle, calves, sheep, goats or hogs, as the case may be).</p>
80	<p style="text-align: center;">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates named herein shall be the shortest resulting mileage via any public highway route computed in accordance with the method provided in Decision No. 31605 in Case No. 4088, Part "N", Case No. 4145 and Case No. 4246.</p>
90	<p style="text-align: center;">LOADING AND UNLOADING</p> <p>Rates include service of driver only for loading into and unloading from carrier's equipment. See Item No. 100 series for charges for additional help.</p>
100	<p style="text-align: center;">ACCESSORIAL CHARGES</p> <p>An additional charge of \$1.00 per man per hour, minimum charge 50 cents, shall be made for helpers for loading or unloading, or any accessorial or incidental service which is not authorized to be performed under the rates named in this tariff or for which a charge is not otherwise provided.</p> <p>The following additional charges shall be made for the performance of bedding service and/or the furnishing of bedding material incidental to the transportation of shipments of livestock on which rates, carrying a minimum weight of 12,000 pounds or greater, are assessed:</p> <p style="padding-left: 40px;">75 cents per truck unit, single deck; 100 cents per truck unit double deck 100 cents per single deck truck and trailer unit 100 cents per single deck tractor and semi-trailer unit 150 cents per double deck truck and trailer unit 150 cents per double deck tractor and semi-trailer unit.</p>
110	<p style="text-align: center;">SHEEP CAMP OUTFITS</p> <p>The rates provided in this tariff for the transportation of sheep will also apply on Sheep Camp Outfits when accompanying shipments of sheep, viz.: wagons, dogs, horses, mules, burros, camp equipment including tents, stoves, cooking utensils, cots, bedding, harness and other appurtenances in use at camp. (See Exception.)</p> <p>EXCEPTION—The provisions of this item will not apply in connection with shipments transported at "Any Quantity" rates, or in connection with shipments of hay, grain, feed, merchandise, powder, groceries or clothing.</p>
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Item
No.

SECTION NO. 1—RULES AND REGULATIONS (Continued)

METHOD OF DETERMINING LIVESTOCK WEIGHTS

General Application:

Weights determined in accordance with Rules Nos. 1 to 5 inclusive of this item shall be used as a basis for assessment and collection of freight charges, except that in no case shall freight charges be less than those accruing at the applicable minimum weight as provided in this tariff.

Rule No. 1—Hoof Weights at Origin:

On shipments originating at points where facilities are provided for obtaining hoof weights, the hoof weights shall be supplied by the shipper and used as a basis for collection of freight charges, except that the provisions of this paragraph do not apply when hoof weights are obtainable at destination under the provisions of Rule No. 2.

Rule No. 2—Hoof Weights at Destination—Fill Allowance:

Where facilities are provided at destination for obtaining hoof weights, the actual hoof weights so obtained shall be used, except that when such hoof weights have been obtained after the stock has been fed and watered at destination, the following deductions for fill allowance may be made:

120

Kind of Stock	Fill Allowance Deductions Per Animal
Cattle	30 Pounds
Calves	15 Pounds
Sheep	3 Pounds
Goats	3 Pounds
Hogs	5 Pounds

Rule No. 3—Vehicle Scale Weights:

In the event hoof weights are not obtainable under the provisions of Rules Nos. 1 or 2, net weights obtained by use of vehicle scales (vehicle and load less vehicle tare) shall be used as a basis for the collection of freight charges. When carrier's equipment contains bedding or refuse, at time of weighing, and it is impracticable to weigh vehicle empty, five hundred (500) pounds may be added to the marked vehicle tare for the purpose of computing the net weight of the load.

Rule No. 4—Basis Applicable in Absence of Hoof or Scale Weights:

When actual hoof weights, or vehicle scale weights, are not obtainable under the provisions of Rules Nos. 1, 2 or 3, a certified statement of estimated weights shall be requested and when furnished shall be accepted by the carrier for the assessment of freight charges. This certificate shall be retained by carrier for a period of three (3) years. Certification shall be in substantially the following form:

(Continued)

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San Francisco, California.

Item No.	SECTION NO. 1—RULES AND REGULATIONS (Continued)																																												
120 (Con- cluded)	<p style="text-align: center;">METHOD OF DETERMINING LIVE STOCK WEIGHTS (Concluded)</p> <p>Rule No. 4—Basis Applicable in Absence of Hoof or Scale Weights (Concluded):</p> <p style="text-align: center;">FORM OF CERTIFICATE</p> <p>I, (shipper or consignee) of Livestock described below,</p> <table style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th style="text-align: left;">Carrier</th> <th style="text-align: left;">Date</th> <th style="text-align: left;">Number of Animals</th> <th style="text-align: left;">Kind of Animals</th> <th style="text-align: left;">Origin</th> <th style="text-align: left;">Destination</th> </tr> </thead> <tbody> <tr><td>.....</td><td>.....</td><td>.....</td><td>.....</td><td>.....</td><td>.....</td></tr> <tr><td>.....</td><td>.....</td><td>.....</td><td>.....</td><td>.....</td><td>.....</td></tr> <tr><td>.....</td><td>.....</td><td>.....</td><td>.....</td><td>.....</td><td>.....</td></tr> </tbody> </table> <p>hereby certify that actual weights have not been obtained to my knowledge within 5 days and that I have not sold, bought, or arranged to sell or buy this livestock on a weight basis, and that the shipment, in my best judgment, does not exceed (insert estimated weight) pounds in weight.</p> <p>Date.....</p> <p style="text-align: right;">..... Signature of Shipper or Consignee.</p> <p>State of California County of.....</p> <p style="text-align: right;">..... Address of Shipper or Consignee.</p> <p>Rule No. 5—Basis Applicable Upon Failure, Inability or Refusal of Shipper and Consignee to Furnish Estimated Weights:</p> <p>If shipper and consignee are unable, fail or refuse to furnish actual weight when known or certificate of estimated weight when actual weight is not known, and other means of ascertaining actual weight are not available, the following estimated weights shall be used:</p> <table style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th style="text-align: left;">Type of Animal</th> <th style="text-align: right;">Pounds Per Head</th> </tr> </thead> <tbody> <tr><td>Cattle, Bulls, Steers, Oxen, Cows.....</td><td style="text-align: right;">900</td></tr> <tr><td>Calves</td><td style="text-align: right;">300</td></tr> <tr><td>Hogs, Pigs.....</td><td style="text-align: right;">200</td></tr> <tr><td>Sows, Swine.....</td><td style="text-align: right;">350</td></tr> <tr><td>Stag</td><td style="text-align: right;">450</td></tr> <tr><td>Sheep, other than Ewes or Bucks.....</td><td style="text-align: right;">85</td></tr> <tr><td>Ewes or Bucks.....</td><td style="text-align: right;">120</td></tr> <tr><td>Kids, Lambs.....</td><td style="text-align: right;">85</td></tr> <tr><td>Goats</td><td style="text-align: right;">120</td></tr> </tbody> </table>	Carrier	Date	Number of Animals	Kind of Animals	Origin	Destination	Type of Animal	Pounds Per Head	Cattle, Bulls, Steers, Oxen, Cows.....	900	Calves	300	Hogs, Pigs.....	200	Sows, Swine.....	350	Stag	450	Sheep, other than Ewes or Bucks.....	85	Ewes or Bucks.....	120	Kids, Lambs.....	85	Goats	120
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Item No.	SECTION NO. 1--RULES AND REGULATIONS (Continued)										
130	<p style="text-align: center;">SPLIT PICKUP</p> <p>The charge for a split pickup shipment, as defined in Item No. 10 series, shall be the charge applicable for transportation of a single shipment of the same kind and quantity of livestock for the distance from that point of origin of a component lot which produces the shortest constructive mileage to point of destination, using the shortest constructive highway route via the points of origin of the several other component lots, plus an added charge as provided in Paragraph (1):</p> <p>(1) Table of added charges:</p> <table border="0" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: left;">Number of Pickups</th> <th style="text-align: right;">Added Charge</th> </tr> </thead> <tbody> <tr> <td>2</td> <td style="text-align: right;">150 cents</td> </tr> <tr> <td>3 to and including 5.....</td> <td style="text-align: right;">200 cents</td> </tr> <tr> <td>6 to and including 10.....</td> <td style="text-align: right;">250 cents</td> </tr> <tr> <td>11 or more.....</td> <td style="text-align: right;">25 cents per pickup</td> </tr> </tbody> </table> <p>(2) At the time of or prior to the first pickup, the carrier shall be furnished with manifest or written shipping instructions showing the name of each consignor, the points of origin, and the kind and quantity of livestock in each component lot;</p> <p>(3) No split pickup shipment shall be accorded split delivery;</p> <p>(4) In the event a lower aggregate charge results from treating one or more component lots as a separate shipment, such lower basis may be applied.</p>	Number of Pickups	Added Charge	2	150 cents	3 to and including 5.....	200 cents	6 to and including 10.....	250 cents	11 or more.....	25 cents per pickup
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140	<p style="text-align: center;">SPLIT DELIVERY</p> <p>The charge for a split delivery shipment, as defined in Item No. 10 series, shall be the charge applicable to the transportation of a single shipment of the same kind and quantity of livestock for a distance equal to one-half the shortest constructive highway route from point of origin and return thereto, via the several points of destination, plus an added charge as provided in Paragraph (1):</p> <p>(1) Table of added charges:</p> <table border="0" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: left;">Number of Deliveries</th> <th style="text-align: right;">Added Charge</th> </tr> </thead> <tbody> <tr> <td>2</td> <td style="text-align: right;">150 cents</td> </tr> <tr> <td>3 to and including 5.....</td> <td style="text-align: right;">200 cents</td> </tr> <tr> <td>6 to and including 10.....</td> <td style="text-align: right;">250 cents</td> </tr> <tr> <td>11 or more.....</td> <td style="text-align: right;">25 cents per delivery</td> </tr> </tbody> </table> <p>(2) 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 points of destination, and the kind and quantity of livestock in each component lot;</p> <p>(3) No split delivery shipment shall be accorded split pickup;</p> <p>(4) In the event a lower aggregate charge results from treating one or more component lots as a separate shipment, such lower basis may be applied.</p>	Number of Deliveries	Added Charge	2	150 cents	3 to and including 5.....	200 cents	6 to and including 10.....	250 cents	11 or more.....	25 cents per delivery
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Item No.	SECTION NO. 1—RULES AND REGULATIONS (Concluded)
150	<p align="center">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>(a) Common carrier rates may be applied in lieu of the rates provided in this tariff, when such common carrier rates produce a lower aggregate charge for the same transportation from the same point of origin to the same point of destination than results from the application of the rates herein provided. (See Note.)</p> <p>NOTE.—When a rail carload rate is subject to varying minimum weights, dependent upon the size of the car ordered or used, the lowest minimum weight obtainable under such minimum weight provisions may be used in applying the basis provided in this item.</p>
160	<p align="center">ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES</p> <p>When lower aggregate charges result, rates provided in this tariff may be used in combination with common carrier rates for the same transportation as follows:</p> <p>(a) When point of origin is located beyond railhead and point of destination is located at railhead, add to the common carrier rate applying from any team track to point of destination the rate provided in this tariff for the distance from point of origin to the team track from which the common carrier rate used applies. (See Notes 1 and 2.)</p> <p>(b) When point of origin is located at railhead and point of destination is located beyond railhead, add to the common carrier rate applying from point of origin to any team track the rate provided in this tariff for the distance from the team track to which the common carrier rate used applies to point of destination. (See Notes 1 and 2.)</p> <p>(c) When both point of origin and point of destination are located beyond railhead, add to the common carrier rate applying between any railheads the rate provided in this tariff for the distance from point of origin to the team track from which the common carrier rate used applies, plus the rate provided in this tariff for the distance from the team track to which the common carrier rate used applies to point of destination. (See Notes 1 and 2.)</p> <p>NOTE 1.—If the route from point of origin to the team track or from the team track to point of destination is within the corporate limits of a single incorporated city, the rates provided in this tariff for transportation for distances of 3 miles or less, or rates established for transportation by carriers as defined in the City Carriers' Act (Chapter 312, Statutes of 1935, as amended), whichever are the lower, shall apply from point of origin to team track or from team track to point of destination, as the case may be.</p> <p>NOTE 2.—When a rail carload rate is subject to varying minimum weights, dependent upon the size of the car ordered or used, the lowest minimum weight obtainable under such minimum weight provisions may be used in supplying the basis provided in this item.</p>
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Item No.	SECTION NO. 2					RATES (In Cents per 100 Pounds)					
	MILES		CATTLE			SHEEP, LAMBS, GOATS, KIDS, CALVES			HOGS		
	Over	But not Over	Any Quantity	Min. Wt. 14,000 Pounds	Min. Wt. 24,000 Pounds	Any Quantity	Min. Wt. 12,000 Pounds	Min. Wt. 20,000 Pounds	Any Quantity	Min. Wt. 16,500 Pounds	Min. Wt. 24,000 Pounds
170	0	3	24	4	3½	24	6	5	24	4	3½
	3	5	25	4½	4	25	7	6	25	5	4
	5	10	26	5½	4½	26	8	6½	26	5½	4½
	10	15	27	6½	5	27	9	7	27	6	5
	15	20	28	7	5½	28	10	7½	28	6½	5½
	20	25	29	7½	6	29	11	8	29	7	6
	25	30	30	8	6½	30	12	8½	30	7½	6½
	30	35	31	8½	7	31	13	9	31	8	7
	35	40	32	9	7½	32	14	10	32	8½	7½
	40	45	33	9½	8	33	15	11	33	9	8
	45	50	34	10	8½	34	16	12	34	10	8½
	50	60	36	11½	9	36	17½	13	36	11½	9
	60	70	38	13	9½	38	19	14	38	12½	9½
	70	80	40	14½	10½	40	20½	15	40	14	10
	80	90	41½	16	11½	41½	22	16	41½	15½	11
	90	100	43	17½	12½	43	23½	17	43	16½	11½
	100	110	44½	19	13½	44½	25	18	44½	18	12½
	110	120	46	20	14½	46	26½	19	46	19½	13½
	120	130	47½	21½	15½	47½	28	20	47½	20½	14
	130	140	49	23	16½	49	29½	21	49	22	15
	140	150	50½	24½	17½	50½	31	22	50½	23½	16
	150	160	52	26	18½	52	32½	23	52	24½	17
	160	170	53½	27	19½	53½	34	24	53½	26	17½
	170	180	55	28½	20½	55	35½	25	55	27	18½
	180	190	56½	30	21½	56½	37	26	56½	28½	19½
	190	200	58	31½	22½	58	38½	27½	58	30	20½
	200	220	61	34½	24½	61	41½	30	61	32½	22
	220	240	64	37	26½	64	44½	32½	64	35	24
	240	260	67	40	28½	67	47½	35	67	37½	26
	260	280	70	43	30½	70	50½	37½	70	40	28
280	300	73	46	32½	73	53½	40	73	42½	30	
300	325	76½	49	34½	76½	57	42½	76½	45	32	
325	350	80	52	36½	80	60½	45	80	48	34	
350	375	83½	55	38½	83½	64	47½	83½	51	36	
375	400	87	58	40½	87	67½	50	87	54	38	
400	425	90½	61	42½	90½	71	52½	90½	57	40	
425	450	94	64	44½	94	74½	55	94	60	42	
450	475	97½	67	46½	97½	78	57½	97½	63	44	
475	500	101	70	48½	101	81½	60	101	66	46	
500	525	104½	73	50½	104½	85	62½	104½	69	48	
525	550	108	76	52½	108	88	65	108	72	50	
550	575	111½	79	54½	111½	91	67½	111½	75	52	
575	600	115	82	56½	115	94	70	115	78	54	
600	625	118½	85	58½	118½	97	72½	118½	81	56	
625	650	122	88	60½	122	100	75	122	84	58	
650	675	125½	91	62½	125½	103	77½	125½	87	60	
675	700	129	94	64½	129	106	80	129	90	62	
For distances over 700 miles add for each 25 miles or fraction thereof...			3½	3	2	3½	3	2½	3½	3	2
END OF TARIFF											
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