Decision 35657

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of )
maximum or minimum, or maximum and )
minimum rates, rules and regulations )
of all common carriers as defined in )
the Public Utilities Act of the State )
of California, as amended, and all )
highway carriers as defined in Chapter )
223, Statutes of 1935, as amended, for )
the transportation, for compensation or 9
hire, of any and all commodities.

DRIGINAL

Case No. 4246

In the Matter of the Establishment of maximum or minimum, or maximum and minimum rates, rules and regulations of all carriers as defined in the City Carriers Act of the State of California (Statutes 1935, Chapter 312, as amended) for the transportation over the public highways within any city or city and county in the State of California, for compensation or hire, of any and all commodities.

Case No. 4434

BY THE COMMISSION:

#### SUPPLEMENTAL OPINION

An adjourned hearing was held in these proceedings before Examiner Bryant in Los Angeles on July 22, 1942, for the purpose of affording a hearing herein to certain highway carriers and city carriers who had not proviously had an opportunity to be heard respecting the subject matter of these proceedings. Minimum rates, rules and regulations applicable to all other highway carriers and city carriers have heresofore been established herein by Decision No.35055.

Decision No. 35055 of Fobruary 24, 1942, in the above entitled proceedings reestablished minimum rates and rules and regulations for the transportation of property between points within defined territory in San Diego County by radial highway common carriers, highway contract carriers and carriers as defined in Chapter 312, Statutes 1935, as amended, (herein referred to as "city carriers") which rates were originally established in Decision No. 30021 of August 9, 1937, as amended, in Cases Nos. 4088, Part "K", 4135 and 4139. The rates and rules and regulations reestablished by Decision No. 35055 were promulgated in the form of a loose-loaf tariff entitled City Carriers' Tariff No. 7 and Highway Carriers' Tariff No. 9, which was attached to said Decision No. 35055 as Appendix "A" thereof.

The carriers for whom this hearing was hold include those who first obtained permits as radial highway common carriers, highway contract carriers, or city carriers, between January 24, 1942 and July 3, 1942, inclusive, and radial highway common carriers, highway contract carriers and city carriers named in Appendix "A" hereof. 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. 35055, and as set forth in City Carriers' Tariff No. 7 and Highway Carriers' Tariff No. 9, a copy of which said tariff is attached hereto, designated Appendix "C" and made a part hereof, are just, reasonable and nondiscriminatory for all highway carriers and city 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 City Carriers' Tariff No. 7 and Highway Carriers' Tariff No. 9, 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 and 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. 35055, and as set forth in said City Carriers' Tariff No. 7 and Highway Carriers' Tariff No. 9 (Appendix "C" hereof) should be established for and made applicable by all highway carriers and all city carriers.

#### FINDINGS

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

- charges, accessorial charges, ratings, rules and regulations set forth in City Carriers' Tariff No. 7 and Highway Carriers' Tariff No. 9, designated as Appendix "C" of the order herein, are and will be for the future, the just, reasonable and nondiscriminatory minimum rates, charges and accessorial charges to be assessed, charged and collected and the just, reasonable and nondiscriminatory minimum ratings, rules and regulations to be observed in applying such rates, charges and accessorial charges by all radial highway common carriers, highway contract carriers and city carriers who first obtained permits between the dates of January 24, 1942 and July 3, 1942, inclusive, and by all radial highway common carriers, highway contract carriers and city carriers, highway contract
- 2. That subject to the terms and conditions of Item No. 140 series of said tariff, all said 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 and to observe the ratings, rules and regulations governing the common carrier rate, charge or accessorial charge used, whenever such rates, charges and accessorial charges applied subject to the governing ratings, rules and regulations produce lower aggregate charges than would accrue for the same transportation under the rates, rules, regulations and accessorial charges found just, reasonable and nondiscriminatory in Finding No. 1.

- 3. That except as provided in Finding No. 2, all of said radial highway common carriers, highway contract carriers and city carriers should be required to assess, charge and collect, for the transportation or accessorial services to which said tariff is applicable, rates, charges and accessorial charges no lower in volume or effect than those set forth or referred to in said tariff and to observe rules and regulations no lower in volume or effect than those set forth or referred to therein.
- 4. That all said radial highway common carriers, highway contract carriers and city carriers should be required to issue a shipping document for each shipment roceived 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 shipment, weight or volume of the shipment, the rate and charge assessed, and such other information respecting each of the factors entering into the computation of the charge as may be necessary in conjunction with the tariff designated as Appendix "C" of the order herein, to verify the lawfulness of such charge; that a copy of such shipping document shall be retained and preserved by the carrier for reference and 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 forms of shipping documents set forth in Appendix "B" of the order herein will be suitable and proper.
  - 5. That none of said radial highway common carriers, highway contract carriers or city carriers 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 or accessorial charges are stated.

#### ORDER

An adjourned public hearing having been held in the above entitled proceedings, and based upon the evidence received therein and upon the conclusions and findings set forth in the preceding opinion,

#### IT IS HEREBY ORDERED.

- and regulations set forth in City Carriers' Tariff No. 7 and Highway Carriers' Tariff No. 9, designated as Appendix "C" attached hereto and by this reference made a part hereof, be and they are hereby established and approved as the just, reasonable and nondiscriminatory 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, highway contract carriers and city carriers who first obtained permits between the dates of January 24, 1942 and July 3, 1942, inclusive, and by all radial highway common carriers, highway contract carriers and city carriers named in Appendix "A" hereof, for the transportation of the property and between the points for which rates and charges are provided in said tariff and for the accessorial services rendered incident thereto, except as provided in ordering paragraph No. 2 hereof.
- 2. That all of said radial highway common carriers and highway contract carriers be and they are hereby authorized to assess, charge and collect common carrier rates and accessorial charges, 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. 2 of the preceding opinion.

- of said radial highway common carriers, highway contract carriers and city carriers be and they are hereby ordered and directed to cease and desist and thereafter to 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, and from observing rates, rules or regulations lower in volume or effect than those set forth or referred to therein.
- 4. That on and after the effective date of this order all of said radial highway common carriers, highway contract carriers and city carriers be and they are hereby ordered and directed to cease and desist and thereafter to abstain from quoting, assessing, charging or 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.
- 5. That all of said radial highway common carriers, highway contract carriers and city carriers be and they are and each of them is 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 shipment, the weight or volume of the shipment, the rate and charge assessed, and such other information respecting each of the factors entering into the computation of the charge as may be necessary in conjunction with said tariff to verify the lawfulness of such charge; 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 formsof shipping documents set forth in Appendix "B" will be suitable and proper.

6. That any and all supplements to or modifications and amendments of said City Carriers' Tariff No. 7 and Highway Carriers' Tariff No. 9, being Appendix "A" to Decision No. 35055, and Appendix "C" to this decision, hereinafter made in this proceeding, shall supplement, modify, or amend this decision also, without express reference to this decision therein.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this ### day of August, 1942.

Instees V. Cicum May Livey France Haveyne Links

Commissioners

#### APPENDIX "A"

Arnold F. Honenshelt

Floyd P. Robertson

J. E. Riley

E. C. Salyer

Jerry Castro, dba Castro Transfer

Clarence J. Lamb, dba Lamb Transportation Co.

Wayne Llyers

Frank W. Tracy

Jose Pedregosa, as copartner of Jose Pedregosa & Valentino Qui

APPENDIX "B"

COMSISTING OF

# SUITABLE AND PROFER FORMS OF SHIPPING DOCUMENTS FOR THE TRAMSPORIATION OF PROFERTY WITHIN A DEFINED TERRITORY IN SAN DIEGO COUNTY

- (1) AT UNIT RATES
  AND
- (2) AT OTHER THAN UNIT RATES

SHIPPING ORDER AND FREIGHT BILL FOR

#### TRANSPORTATION OF PROPERTY IN THE SAN DIEGO DRAYAGE AREA AT UNIT RATES

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(1) Show greatest (heaviest) gross weight of the property transported by the unit of carrier's equipment at one time during a single transaction.
(2) Show time not chargeable, such as time for meals.
(3) Show greatest (heaviest) gross weight of the property transported by the unit of carrier's equipment at any time during the period covered by the transaction.
(4) Show in terms of the governing tariff provisions the period of time for which the equipment is engaged.
(5) Shipping orders in individual or manifest form or shipping orders and delivery receipts showing all information necessary to determine the application rate under the tariff provisions governing weight unit rates must be attached to and made a part of this freight bill in the event such full information is not shown on its face.
(6) Show each charge separately and what it represents.

# SHIPPING ORDER AND FREIGHT BILL FOR TRANSPORTATION IN THE SAN DIEGO DRAYAGE AREA AT OTHER THAN UNIT RATES

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If other authorized unit of charge, show such unit.
 Show time not chargeable, such as time for meals.
 Show each charge separately and what it represents.

APPENDIX "C"

ĺs

City Carriers' Tariff No. 7

and

Highway Carriors' Tariff No. 9

Naming

Minimum Rates, Rules and Regulations

For The

Transportation of Proporty

Between Points Within a Defined Territory in San Diego County

by

Radial Highway Common Carriers
Highway Contract Carriers
and

City Cerriers

CITY CARRIERS' TARIFF NO. 7
HIGHWAY CARRIERS' TARIFF NO. 9

NAMING

MINIMUM RATES, RULES AND RECULATIONS

for the

TRANSPORTATION OF PROPERTY OVER THE

PUBLIC HIGHWAYS WITHIN

DEFINED TERRITORY IN SAN DIEGO COUNTY

BY

CITY CARRIERS

RADIAL HIGHWAY COMMON CAPRIERS

AND

HIGHWAY CONTRACT CARRIERS

The original tariff contains rates, rules and regulations established in Decision No. 35055, in Cases Nos. 4246 and 4434. 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.

Coverned, except as otherwise provided herein by Western Classification No. 69, C.R.C.-W.C. No. 2 of R. C. Fyfe, Agent, by Pacific Freight Tariff Bureau Exception Sheet No. 1-Q, C.R.C. No. 39 of J. P. Haynes, Agent, and by supplements to or reissues of said publications when the provisions of said supplements or reissues have been approved by the Commission.

EFFECTIVE APRIL 15, 1942

#### 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 N	UMBERS		
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EFFECTIVE AS SHOWN ON TITLE PAGE

TABLE OF CONTENTS	Item No. (series), except as shown
Arrangement of Tariff	Page 4 Digital
Correction Number Checking Sheet	Page 1
Index of Commodities	Page 3
Rate-Bases	320
Rates: Class Rates Commodity Rates Unit Rates	330 340-350 370-380
Rules and Regulations: Accessorial Charges Alternative Application of Common Carrier Rates Application of Rates Application of Tariff—Carriers	90 20
Application of Tariff—Commodities Application of Tariff—Territorial Application of Western Classification and Exception Sheet	30-31
Charges for Service at Other Than Regular Working Hours Collect on Delivery Shipments Delays to Equipment Disposition of Fractions	120 150
Exceptions to Western Classification and Exception Sheet	170-310 70
Minimum Charge Rates Based on Varying Minimum Weights Shipments to be Rated Separately Technical Terms, Definition of	80
Rules and Regulations governing Unit Rates in Section 3	360-361

#### INDEX OF COMMODITIES

Only those articles which are named in commodity items or in Exceptions to the Western Classification and Exception Sheet are shown in the following list.

COMMODITY	Item Number	COMMODITY	Item Number
Ale was a second of the second of the	210	Metal, scrap became and the	250
Beans, dry Beer Beer Tonic Beverages, malt	210 210 200	Nuts, edible Paper, newsprint Paper, waste	260 270 250
Canned Goods as described in Item No. 210 series of the Exception Sheet Carriers (used packages) as described in Item No. 300	220	Peas, dry Porter Rags Refuse (citrus fruit)	200 210 250 280
Series of the Exception Sheet Cement, portland, building	230 340	Sacks, old, worn-out Salt, common Stout Sugar	250 290 210 300
Flowers, fresh cut Freight, in shipments of less than 100 pounds	240 350	Tires (rubber), old Tubes (rubber), old	250 250
Junk as described  Lentils, dry	250 200	Wine, domestic	310

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#### ARRANGEMENT OF TARIFF

This is a loose-leaf tariff consisting of three sections

SECTION NO. 1 contains rules and regulations of general application.

Except as otherwise specifically provided, the rules and regulations contained in Section No. 1 govern the rates in Section No. 2 of the tariff.

SECTION NO. 2 contains class and commodity rates, and rate bases applicable thereto.

SECTION NO. 3 contains unit rates, rules and regulations.

EFFECTIVE AS SHOWN ON TITLE PACE

Item SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION No-DEFINITION OF TECHNICAL TERMS (Items Nos- 10 and 11 series) (a) CARRIER means a carrier, as defined in the City Carriers' Act (Chapter 312, Statutes of 1935, as amended), or a radial highway common carrier or a highway contract carrier, as defined in the Highway Carriers' Act (Chapter 223, Statutes of 1935, as amended). (b) 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. (c) COMMON CARRIER RATE means any intrastate rate or rates of any common carrier or common carriers, as defined in the Public Utilities Act, on file with the Commission and in effect on date of shipment. (d) ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments. (c) EXCEPTION SHEET means Pacific Freight Tariff Bureau Exception Sheet No. 1-Q, C.R.C. No. 39 of J. P. Haynes, Agent, and supplements thereto or reissues thereof when the provisions of said supplements or reissues have been approved by the Commission-10 (f) POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent. (g) POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor or his agent into the custody of the carrier for transportation. (h) RATE includes charge, and also the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith. (1) SAME TRANSPORTATION means transportation of the same kind and quantity of property and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment. (Concluded on Page 6)

Issued by The Railroad Commission of the State of California,

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San Francisco, California.



Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11 series)
11	(1) SHIPMENT means a quantity of freight tendered by one shipper on one shipping document at one point of origin at one time for one consignee at one point of destination.
**	(k) WESTERN CLASSIFICATION means Western Classification No. 69 C.R.CW.C. No. 2 of R. C. Fyfe, Agent, and supplements thereto or relissues thereof when the provisions of said supplements or reissues have been approved by the Commission.
	APPLICATION OF TARIFF - CARRIERS
20	Rates provided in this tariff are minimum rates, established pursuant to the City Carriers' Act (Chapter 312, Statutes of 1935, as amended), and the Highway Carriers' Act (Chapter 223, Statutes of 1935, as amended). They apply for the transportation of property by carriers as defined in said City Carriers' Act, and radial highway common carriers and highway contract carriers, as defined in said Highway Carriers' Act.

Item SE

SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)

### APPLICATION OF TARIFF - TERRITORIAL (Items Nos. 30 and 31 series)

Rates in this tariff apply for transportation of shipments between points in San Diego County located in the zones described below. The zones hereinafter described embrace all points of origin and destination within their respective boundaries. Where reference is made to the intersection of public highways (streets, roads, etc.), bays, shore lines, rivers or city limits, and there is no actual intersection, the public highway shall be projected (extended) from the point where it terminates to the defined intersection.

#### Zone 1

Beginning at the intersection of San Diego Bay and Upas Street and following easterly along Upas Street to 28th Street; thence southerly along 28th Street to San Diego Bay, thence northwesterly along the San Diego Bay shore line to point of beginning.

#### Zone 2

Beginning at the intersection of San Diego Bay and Upas Street and following westerly thence southwesterly along the San Diego Bay shore line to Lowell Street; thence westerly along Lowell Street to Rosecrans Street; thence northeasterly along Rosecrans Street to San Diego Avenue; thence southeasterly along San Diego Avenue to Ampudia Street; thence northerly along Ampudia Street to the San Diego River; thence easterly along the south bank of the San Diego River to Georgia Street; thence south along Georgia Street to Upas Street; thence westerly along Upas Street to point of beginning.

#### Zone 3

Beginning at the intersection of San Diego Bay and Division Street, and following easterly along Division Street to Boundary Street, thence northerly along Boundary Street to the San Diego River; thence westerly along the south bank of the San Diego River to Georgia Street; thence southerly along Georgia Street to Upas Street; thence easterly along Upas Street to 28th Street; thence southerly along 28th Street to San Diego Bay; thence southerly along the San Diego Bay shore line to point of beginning.

#### Zone 4

All that part of the City of San Diego adjacent to the eastern boundary of Zone 3.

(Concluded on Page 8)

EFFECTIVE AS SHOWN ON TITLE PAGE

Original Page...8

31

Item No. | SECTION NO. | - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)

APPLICATION OF TARIFF - TERRITORIAL (Concluded) (Items Nos. 30 and 31 series)

#### Zone 5

Beginning at the intersection of Edison Street with Mission Bay and following in an easterly direction along a straight imaginary line to the point where it meets the intersection of Linda Vista Road with the San Diego City limits; thence southeasterly along the San Diego City limits to the San Diego River; thence westerly along the north bank of the San Diego River to Ampudia Street; thence southerly along Ampudia Street to San Diego Avenue; thence westerly along San Diego Avenue to Rosecrans Street; thence southeasterly along Rosecrans Street to Lowell Street; thence southeasterly along Lowell Street to San Diego Bay; thence southerly along the San Diego Bay shore line to the Pacific Ocean; thence northerly along the Pacific Ocean shore line to Mission Bay; thence northeasterly along the Mission Bay shore line to point of beginning.

#### Zone 6

Beginning at the intersection of Edison Street with Mission Bay and following in an easterly direction along a straight imaginary line to the point where it meets the intersection of Linda Vista Road with the San Diego City limits; thence northwesterly along the San Diego City limits to the Pacific Ocean; thence southerly along the Pacific Ocean shore line to Mission Bay; thence northerly and easterly following the shore line of Mission Bay to point of beginning.

#### Zone 7

All territory within the corporate limits of Coronado.

#### Zone 8

All territory within the corporate limits of National City.

#### Zone 9

All territory within the corporate limits of Chula Vista.

#### Zone 10

Beginning at a point in the southwesterly shore line of Spanish Bight midway between the northwesterly and southeasterly shore lines of Spanish Bight, thence northwesterly and northeasterly along the northerly shore line of said bight and southwesterly along the shore line of San Diego Bay and easterly along the shore line of Pacific Ocean to its intersection with a line extending south from the point of beginning; thence northerly along said line to the point of beginning.

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SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued) APPLICATION OF TARIFF - COMMODITIES Rates in this tariff apply for the transportation of all commodities except the following: Baggage, Cement, portland (building), in bulk in dump trucks, Commodities as described in and for which rates are provided in City Carriers' Tariff No. 6 - Highway Carriers' Tariff No. 7 (Appendix "A" of Decision No. 32566 of November 14, 1939, or as amended, in Cases Nos. 4246 and 4434) when said commodities are transported in dump trucks, Commodities of abnormal size or weight which because of such size or weight require the use of and are transported on low-bed trailers. Commodities which consist of or contain materials essential to National Defense and which have been donated to and are transported for the United States government, governmental agencies or nonprofit organizations acting for or in behalf of said government in the collection, assembly or transportation of said commodities in connection with the recovery of said essential materials from the commodities transported, Commodities transported in bulk in tank trucks, tank trailers, tank semi-trailers, or a combination of such highway vehicles, Commodities picked up and delivered for common carriers under 40 through pickup and delivery rates. Commodities transported as inter-city shipments when point of origin and point of destination are the carrier's established depots. Fresh or green fruits, fresh or green vegetables, or mushrooms, when the point of destination of the shipment is a cannery, packing plant, packing shed, precooling plant or processing plant: and empty containers used or shipped out for use in connection with such transportation, Livestock as described in and for which rates are provided in Highway Carriers' Tariff No. 3 (Appendix "C" of Decision No. 31924, as amended, in Case No. 4293, Parcels delivered from retail stores (Parcel City Delivery), Telephone directories,
Used property, viz.: household goods, office and store fixtures, and equipment, as described in and for which rates are provided in City Carriers' Tariff No. 3 - Highway Carriers' Tariff No. 4 (Appendix "A" of Decision No. 32629, of December 7, 1939, or as amended, in Cases Nos. 4246 and 4434), and used property as described therein transported for the United States, state, county or municipal governments, Voting Booths, ballot boxes, election tents, and election supplies when transported from or to polling places, when a property

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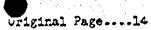


Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	APPLICATION OF WESTERN CLASSIFICATION AND EXCEPTION SHEET
50	(a) This tariff is governed to the extent shown herein by the Western Classification and the Exception Sheet.
	(b) Where the ratings, rules and regulations or other provisions or conditions provided in the Western Classification or Exception Sheet are in conflict with those provided in this tariff, the provisions of this tariff will apply.
	SHIPMENTS TO BE RATED SEPARATELY
60	Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the carrier.
70	CROSS WEIGHT  Charges shall be assessed on the gross weight of the shipment. No allowance shall be made for the weight of containers.
	RATES BASED ON VARYING MINIMUM WEIGHTS
80	When the 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, deficiency between actual weight of the shipment and the greater minimum weight shall be computed at the rate applicable to the lowest rated commodity in the shipment.

	Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
		APPLICATION OF RATES
		(a) Rates provided in this tariff are for the transportation of shipments, as defined in Item No. 11 series from point of origin to point of destination, and include loading into and unloading from the carrier's equipment, subject to Note 1.
,	90	(b) For inter-city transportation of property when point of origin or point of destination is the carrier's established depot, rates shall be 5 cents per 100 pounds less than those provided herein; but in no case shall the net transportation rate be less than 5 cents per 100 pounds when applying the provisions of this paragraph.
		NOTE 1 When a shipment is picked up at or delivered to a point not at street level, and no vehicular elevator service or vehicular ramp is provided and made available to the carrier, an additional charge of 5 cents per 100 pounds, minimum additional charge 25 cents per shipment, shall be assessed for the service of handling shipment beyond carrier's equipment; except that no additional charge shall be made for this service in connection with shipments weighing less than 100 pounds.
		ACCESSORIAL CHARGES
		An additional charge at the rate of \$1.00 per man per hour, mini-
	100	mum charge 50 cents, shall be made for stacking, sorting or any other accessorial or incidental service which is not authorized to be performed under the rates named in this tariff and for which a charge is not otherwise provided: except that no additional charge shall be made for these services in connection with shipments weighing less than 100 pounds.
	100	mum charge 50 cents, shall be made for stacking, sorting or any other accessorial or incidental service which is not authorized to be performed under the rates named in this tariff and for which a charge is not otherwise provided: except that no additional charge shall be made for these services in connection with shipments weighing less than 100
	100	mum charge 50 cents, shall be made for stacking, sorting or any other accessorial or incidental service which is not authorized to be performed under the rates named in this tariff and for which a charge is not otherwise provided: except that no additional charge shall be made for these services in connection with shipments weighing less than 100 pounds.
		mum charge 50 cents, shall be made for stacking, sorting or any other accessorial or incidental service which is not authorized to be performed under the rates named in this tariff and for which a charge is not otherwise provided: except that no additional charge shall be made for these services in connection with shipments weighing less than 100 pounds.  CHARGES FOR SERVICE AT OTHER THAN REGULAR WORKING HOURS  For services performed at the request of the shipper or consignee between the hours of 5:00 P.M. and 8:00 A.M., or on Sundays and the following holidays, an additional charge equal to the additional cost
		mum charge 50 cents, shall be made for stacking, sorting or any other accessorial or incidental service which is not authorized to be performed under the rates named in this tariff and for which a charge is not otherwise provided: except that no additional charge shall be made for these services in connection with shipments weighing less than 100 pounds.  CHARGES FOR SERVICE AT OTHER THAN REGULAR WORKING HOURS  For services performed at the request of the shipper or consignee between the hours of 5:00 P.M. and 8:00 A.M., or on Sundays and the following holidays, an additional charge equal to the additional cost of overtime shall be made:  New Year's Day  Washington's Birthday  Thanksgiving Day  Decoration Day  Christmas Day  Christmas Day
		mum charge 50 cents, shall be made for stacking, sorting or any other accessorial or incidental service which is not authorized to be performed under the rates named in this tariff and for which a charge is not otherwise provided: except that no additional charge shall be made for these services in connection with shipments weighing less than 100 pounds.  CHARGES FOR SERVICE AT OTHER THAN REGULAR WORKING HOURS  For services performed at the request of the shipper or consignee between the hours of 5:00 P.M. and 8:00 A.M., or on Sundays and the following holidays, an additional charge equal to the additional cost of overtime shall be made:  New Year's Day  Washington's Birthday  Thanksgiving Day  Decoration Day  Christmas Day  Christmas Day
		mum charge 50 cents, shall be made for stacking, sorting or any other accessorial or incidental service which is not authorized to be performed under the rates named in this tariff and for which a charge is not otherwise provided: except that no additional charge shall be made for these services in connection with shipments weighing less than 100 pounds.  CHARGES FOR SERVICE AT OTHER THAN REGULAR WORKING HOURS  For services performed at the request of the shipper or consignee between the hours of 5:00 P.M. and 8:00 A.M., or on Sundays and the following holidays, an additional charge equal to the additional cost of overtime shall be made:  New Year's Day  Washington's Birthday  Thanksgiving Day  Decoration Day  Christmas Day  Christmas Day

Item No.	SECTION NO. 1 - RULES AND RECULATIONS OF GENERAL APPLICATION (Continued)
120	DELAYS TO EQUIPMENT  Delays at point of pickup and/or delivery, exclusive of the time actually consumed in loading or unloading, resulting from any cause not the fault of and beyond the control of carrier, which exceed one-half hour will be charged for at the rate of \$2.00 per hour, minimum charge 50 cents, for all time in excess of one-half hour.
	MINIMUM CHARGE The minimum charge per shipment shall be as follows:
130	Weight of Shipment  Less than 100 pounds See Item No. 350 series 100 pounds and over 40 cents
140	ALTERNATIVE APPLICATION OF COMMON CARRIER RATES  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 between the same points of origin and destination, and for the same accessorial services, than results from the application of the rates herein provided.
150	DISPOSITION OF FRACTIONS  In computing a rate based on a percentage of another rate, the following rule shall be observed in the disposition of fractions:  Fractions of less than 1/2 or -50 of a cent, omit-  Fractions of 1/2 or -50 of a cent or greater, increase to next whole figure.

Item No-	SECTION NO. 1 - RULES AND RECULATIONS OF GENERAL APPLICATION (Continued)
160	COLLECT ON DELIVERY (C.O.D.) SHIPMENTS  (a) In the handling of C.O.D. shipments carrier shall, promptly upon collection of any and all moneys, and in no event later than ten (10) days after delivery to the consignee, unless consignor, in writing, instructs otherwise, remit to consignor all moneys collected by it on such shipments.  (b) The charges for collecting and remitting the amount of C.O.D. bills collected on C.O.D. shipments shall be as follows:
	Under \$100.00 one-half of one per cent, minimum charge \$ .15 \$100.00 and not over \$200.00



tem No-	SECTION NO. 1 - RULES AND RECULATIONS OF CENERAL APPLICATION (Continued)				
	EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET				
	RULES  Rates in this tariff are not subject to the provisions of the following rules of the Western Classification:				
170	1 6 10 15 29 34 40 47 3 7 11 16 30 35 41 4 8 13 24 31 38 43 5 9 14 27 32 39 44				
170	Rates in this tariff are not subject to the provisions of the following rules of the Exception Sheet:				
	10     42     62     105     140     161     180       15     45     65     110     145     165       35     50     75     115     150     168       38     60     78     120     155     170       40     61     100     125     160     175     -				
180	Except as otherwise provided in this Section, class rates contained in Section No. 2 are subject to any quantity or less carload ratings as shown in the Western Classification and Exception Sheet.				
	PACKING REQUIREMENTS				
Articles will not be subject to the packing requirements of Western Classification or Exception Sheet, but may be accepted transportation in any container or any shipping form, providing container or form of shipment will render the transportation of freight reasonably safe and practicable.					
190	If two or more ratings are provided for an article in the form in which it is shipped (e.g., set up or knocked down, nested or not nested, compressed or not compressed, folded flat or not folded flat) subject to different packing requirements, the lowest of such ratings will apply.				
	[4] """"""""""""""""""""""""""""""""""""""				

Item :	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION	(Concluded)
	EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET (Concluded)	CLASS RATING
200	Beans, Pens, and Lentils, dry	90% of 4
210	Beverages, malt, viz.: Ale, Beer, Beer Tonic,	1 (1) (1) (1) (1) (1) (1) (1) (1) (1) (1
220	Canned Goods, as described in Item No. 210 series of the Exception Shoot	90% of 4
230	Carriers (used packages), second-hand, empty, as described in and subject to the provisions of Item No. 300 series of the Exception Sheet	1/2 of 4
240	Flowers, fresh cut	D-1
250	Junk, viz.: Paper, waste, and Rags, in machine compressed bales; Sacks, old worn-out; Tires (rubber), old worn-out, Tubes (rubber), pneumatic, old, worn-out; Metal, scrap	80% of 4
260	Nuts, edible, in the shell	20.000 <b>4</b> 200.00
270	Paper, newsprint, in rolls	10 A 10 A
280	Refuse (citrus fruit), not fit for human consumption	80% of 4
290	Salt, common	90% of 4
[300]]	Sugar	90% of 4
310	Wine, domestic, having a declared value of not more than \$2.00 per gallon	201 3 3 4 4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1

SECTION NO. 2

CLASS AND COMMODITY RATES

AND '

RATE BASES APPLICABLE THERETO

EFFECTIVE AS SHOWN ON TITLE PAGE

Item No.	SECTION NO.				

#### RATE BASES

Rate bases applicable to shipments transported from points of origin to points of destination located in zones described in Items Nos. 30 and 31 series, for which rates are provided in this section:

	Between	Zone	Zone	Zone	Zone	Zone	Zone	Zone	Zone	Zone
	and	1	2	3	4	<b>5</b>	6 ,	7	8	9
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320	"Zone <sup>©</sup> 3 ∰	C.	C	В	: is = in	-				
	Zone 4	<b>D</b>	) <b>D</b>	<b>C</b>	<b>B</b> §	1961 1 <b></b> 10. 2001				
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	Zone 6	<b>E</b> 7	<b>.</b>	. , E	), <b>F</b>	<b>.</b> . <b>.</b>	В	•	4. <del>-</del> €	<b>.</b>
	Zone 7	11 <b>c</b> }	ַ מּ	מ ,	E	E	F	<b>A</b>	•	
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	Zone 9	<b>E</b> 43	<b>F</b>	E	E	F., F.,	F	. <b>F</b>	**** <b>B</b> .,	# 1.A 19
	Zone 10	ָ מ	E	10 N B	F	F	G	В	36. <b>F</b> .)	<b>.</b>

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	CLASS RATES In cents per 100 pounds													
	Rate		(1) 100   FOO   2.000											
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		40	36	32	28	30	27	24	21	27	24	22	19	
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	В		14	13	11	10	<b>5</b>	10		9	8	7		
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	E		20	18	16		4	12	1	1	10	9		
* v*.	F		22	20	18	1	5	12	1	2	10	9		
**	G		24	22	19	1	7	13	1	2	10	9		

(1) For rates on shipments weighing less than 100 pounds, see Item No. 350 series.

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Item No.	SECTION NO. 2 - CLASS AND COMMODITY RATES AND RATE BASES APPLICABLE THERETO (Concluded)
	COMMODITY RATES AND
	Cement, portland, building Minimum Weight 28,500 Pounds
	Miles Over But not over  Over 2  Over 2  Nates in Cents per 100 Pounds (Subject to Notes 1 and 2)
340	For each additional 5 miles or fraction thereof, add
	NOTE 1 Rates are not subject to the provisions of Items Nos. 90, 110 and 120 series. Rates include loading into and unloading from carrier's equipment.
	NOTE 2 If the charge accruing under Item No. 330 series of this tariff is lower than the charge accruing under this item on the same shipment between the same points, the charge accruing under Item No. 330 series will apply.
	FREIGHT, regardless of classification, transported between or within the zones described in Items Nos. 30 and 31 series,
350	Weight in Pounds  Weight in Pounds  Per Shipment
	15 or less

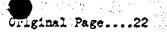
SECTION NO. 3

UNIT RATES, RULES AND REGULATIONS

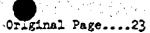
Rates in this section do not alternate with rates in Section No. 2

The state of the s

tem		SECTION NO. 3 - UNIT RATES, RULES AND REGULATIONS
		RULES AND RECULATIONS (Items Nos. 360 and 361 series)
	Ap Ta (C	(a) Rates named in this section are subject to Items Nos. 10 and series, Definition of Technical Terms, Ivems Nos. 30 and 31 series, oplication of Tariff-Territorial, Item No. 40 series, Application of ariff-Commodities, and Item No. 160 series, Collect on Delivery C.O.D.) Shipments. They are not subject to other rules and regulations provided by Section No. 1.
	tr	(b) Rates named in this section apply only when the property is cansported by one carrier for one shipper.
360	tr be tr Co	(c) Prior to the transportation of the property, the shipper must note into a written agreement with the carrier to ship at rates no ower than those provided in this section, stating specifically the lass of service desired. No single agreement shall cover shipments cansported over a period in excess of 31 days. The agreement shall in substantially the following form, and the original or a copy nereof shall be retained and preserved by the carrier, subject to the summission's inspection, for a period of not less than three (3) years com the date of its issuance.
	-	
	1 1	Original Control of the Control of
		In accordance with the provisions of Item No. 360 series of City Carriers' Tariff No. 7, Highway Carriers' Tariff No. 9 (Appendix "A" of Decision No. 35055, as amended, in Cases Nos. 4246 and 4434), I hereby elect to have(identify transaction) transported by(carrier)
		City Carriers' Tariff No. 7, Highway Carriers' Tariff No. 9 (Appendix "A" of Decision No. 35055, as amended, in Cases Nos. 4246 and 4434), I hereby elect to have (identify transaction) transported by (carrier) from (point of origin) to (point of destination) at the rate of (see note) under the rates and provisions of Item No. (see note) series of seid tariff.  Shipper (name in full) By (name in full) Confirmed:
		City Carriers' Tariff No. 7, Highway Carriers' Tariff No. 9 (Appendix "A" of Decision No. 35055, as amended, in Cases Nos. 4246 and 4434), I hereby elect to have(identify transaction) transported by(carrier)



Item No.	SECTION NO. 3 - UNIT RATES, RULES AND REGULATIONS (Continued)
	RULES AND REGULATIONS (Concluded) (Items Nos. 360 and 361 series)
361	(d) Rates named in this section are subject to an additional charge at the rate of \$1.00 per man, per hour, minimum charge 50 cents, when carrier furnishes help in addition to the driver. The time for computing the additional charge shall be not less than the actual time in minutes the helper or helpers are engaged in performing the service requested by the shipper. The total time so computed shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the table provided by Note 2(b), Item No. 370 series.

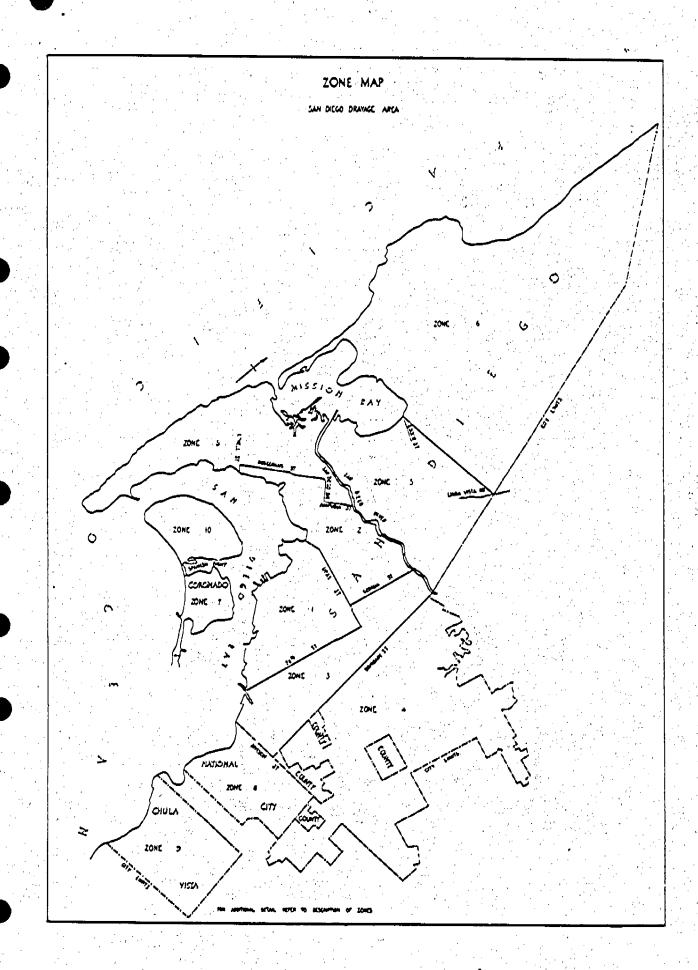


Item No.	SECTION NO. 3 - UNIT RATES, RULES AND REGULATIONS (Continued)
	FREICHT, regardless of classification, transported between or within the zones described in Items Nos. 30 and 31 series, subject to Notes 1 and 2:  Rates in Cents Minimum Charges per Hour in Cents
	250 or less
370	NOTE 1 Weight in pounds is the greatest (heaviest) gross weight of the property transported by the unit of carrier's equipment at one time during a single transaction. No allowance shall be made for weight of containers.
	NOTE 2 (a) The total of the loading, unloading and driving time computed from the arrival of carrier's equipment at point of origin or first point of origin when more than one point of origin is involved, to the time unloading is completed at point of destination, or last point of destination when more than one point of destination is involved, subject to paragraph (b) hereof, shall be used to compute charges.
	(b) In computing time under the basis outlined in paragraph (a) hereof the various time factors shall be not less than the actual time involved in minutes. After the total time has been determined
	under the provisions of paragraph (a) hereof, it shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the following table.

Item No.	SECTION NO. 3 - UNIT RATES, RULES AND REGULATIONS (Concluded)
	FREIGHT, regardless of classification, transported between or within the zones described in Items Nos. 30 and 31 series:
	Weight in Pounds, subject to Note 1: Column Column Column Column 4
	2,500 or less
	COLUMN 1 - Rates in dollars per unit of carrier's equipment for a period of seven successive days or any portion thereof. When equipment is operated in excess of 350 miles during such period, add rates provided by Column 4.
380	COLUMN 2 - Rates in dollars per unit of carrier's equipment for a period of twenty-one successive days or, when the equipment is not operated on Saturdays, Sundays and legal holidays, for a period of twenty-one successive days exclusive of Saturdays, Sundays and legal holidays, or any portion of such periods. When equipment is operated in excess of 1,050 miles during the period, add rates provided by Column 4.
	COLUMN 3 - Rates in dollars per unit of carrier's equipment for a period of twenty-five successive days or, when the equipment is not operated on Sundays and legal holidays, for a period of twenty-five successive days exclusive of Sundays and legal holidays, or any portion of such periods. When equipment is operated in excess of 1,250 miles during the period, add rates provided by Column 4.
	COLUMN 4 - Rates in cents per mile to be added to the Column 1, 2, and 3 rates when the unit of carrier's equipment is operated in excess of the maximum mileage allowed thereunder.
	NOTE 1 Weight in pounds is the gross weight of the property transported by the unit of carrier's equipment at the time the equipment is transporting the greatest (heaviest) load during the period covered by the transaction. No allowance shall be made for weight of containers.

END OF TARIFF

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APPENDIX "B"

of i

DECISION NO. 35055
In Cases Nos. 4246 and 4434

Consisting of

Suitable and Proper Forms of Shipping Documents

for the Transportation of

Property in the San Diego Drayage Area

(1) At Unit Rates

and

(2) At Other than Unit Rates

### SHIPPING ORDER AND PRESCRIP BILL FOR TRANSPORTATION OF PROPERTY IN THE SAN SILGO DRAYAGE AREA AT DOT RATE

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Show greatest (heaviest) gross weight of the property transported by the unit of carrier's equipment at one time during a single transaction.
 Show time not chargeable, such as time for meals.
 Bhow greatest (heaviest) gross weight of the property transported by the unit of carrier's equipment at any time during the period covered by the transaction.
 Show in terms of the governing tariff provisions the period of time for which the equipment

(4) Show in terms of the governing target provisions are presented in engaged.
(5) Shipping orders in individual or manifest form or shipping orders and delivery receipts showing all information necessary to determine the application rate under the tariff provisions governing weight unit rates must be attached to and made a part of this freight bill in the event such full information is not shown on its face.
(6) Show each charge separately and what it represents.

## SHIPPING ORDER AND FREIGHT BILL FOR TRANSPORTATION IN THE SAN DIEGO DRAYAGE AREA AT OTHER THAN UNIT RATES

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	name in full			TOTAL TO	COLL	ecr -			

- (1) If other authorized unit of charge, show such unit.
  (2) Show time not chargeable, such as time for meals,
  (3) Show each charge separately and what it represents.