

Decision 3583i

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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

ORIGINAL

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 September 30, 1942, for the purpose of affording a hearing herein to certain highway carriers and city carriers who had not previously 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 heretofore been established herein by Decision No. 35055. The carriers for whom this hearing was held include

¹ Decision No. 35055 of February 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-leaf 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.

those who first obtained permits as radial highway common carriers, highway contract carriers, or city carriers, between July 5, 1942 and September 15, 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 contained in Appendix "B" 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 (contained in Appendix "B" hereof) should be established for and made applicable by all highway carriers and all city carriers.

F I N D I N G S

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

1. That except as provided in Finding No. 2, the rates, charges, accessorial charges, ratings, rules and regulations set forth in City Carriers' Tariff No. 7 and Highway Carriers' Tariff No. 9, contained in Appendix "B" 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 July 5, 1942 and September 15, 1942, inclusive, and by all radial highway common carriers, highway contract carriers and city carriers named in Appendix "A" hereof.

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 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, 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 contained in Appendix "B" 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 contained 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.

O R D E R

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:

1. That the rates, charges, accessorial charges, rules and regulations set forth in City Carriers' Tariff No. 7 and Highway Carriers' Tariff No. 9, contained in Appendix "B" 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 July 5, 1942 and September 15, 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.

3. 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 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 the tariff contained in Appendix "E" hereof, 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 forms of shipping documents contained in Appendix "E" hereof 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 contained in Appendix "B" 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 6 day of October, 1942.

Justus J. Glavin
W. B. [unclear]
Francis D. Havenue
Richard [unclear]
Commissioners.

APPENDIX "A"

Jas. J. Barnhart, as copartner of Jas. J. Barnhart & Chas. A. Rabining

Santiago Castillo

James Crossley

Arthur E. Ewing

Sebastian Garcia

M. Guereca

W. B. Henson

Ciria Jiminez

Gene Lambert

M. J. Lipary

James R. Liscom

Joe L. Machen

M. Norton

Wm. Acle Parke

L. B. Parks

Ralph Partida

B. H. Ray

Lawrence Giovannetti, as copartner of Ray's Drayage

Lee Roberson

Leo Shockey

Clarence L. Snow

Kermit Tierney, as copartner of, Kermit & Cyril Tierney

Jerry Tonkinson

APPENDIX "B"

Consisting of

(1) City Carriers' Tariff No. 7

and

Highway Carriers' Tariff No. 9

Naming

Minimum Rates, Rules and Regulations

For The

Transportation of Property Between Points
Within a Defined Territory in San Diego County

by

Radial Highway Common Carriers

Highway Contract Carriers

and

City Carriers

and

(2) Suitable and proper forms of Shipping Documents
for the above described transportation

(a) At unit rates

and

(b) At other than unit rates

CITY CARRIERS' TARIFF NO. 7
HIGHWAY CARRIERS' TARIFF NO. 9
NAMING
MINIMUM RATES, RULES AND REGULATIONS
for the
TRANSPORTATION OF PROPERTY OVER THE
PUBLIC HIGHWAYS WITHIN
DEFINED TERRITORY IN SAN DIEGO COUNTY

BY

CITY CARRIERS
RADIAL HIGHWAY COMMON CARRIERS
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.

Governed, 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

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	31	61	91	121	151	181
2	32	62	92	122	152	182
3	33	63	93	123	153	183
4	34	64	94	124	154	184
5	35	65	95	125	155	185
6	36	66	96	126	156	186
7	37	67	97	127	157	187
8	38	68	98	128	158	188
9	39	69	99	129	159	189
10	40	70	100	130	160	190
11	41	71	101	131	161	191
12	42	72	102	132	162	192
13	43	73	103	133	163	193
14	44	74	104	134	164	194
15	45	75	105	135	165	195
16	46	76	106	136	166	196
17	47	77	107	137	167	197
18	48	78	108	138	168	198
19	49	79	109	139	169	199
20	50	80	110	140	170	200
21	51	81	111	141	171	201
22	52	82	112	142	172	202
23	53	83	113	143	173	203
24	54	84	114	144	174	204
25	55	85	115	145	175	205
26	56	86	116	146	176	206
27	57	87	117	147	177	207
28	58	88	118	148	178	208
29	59	89	119	149	179	209
30	60	90	120	150	180	210

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TABLE OF CONTENTS	Item No. (series), except as shown
Arrangement of Tariff	Page 4
Correction Number Checking Sheet	Page 1
Index of Commodities	Page 3
Rate Bases	320
Rates:	
Class Rates	330
Commodity Rates	340-350
Unit Rates	370-380
Rules and Regulations:	
Accessorial Charges	100
Alternative Application of Common Carrier Rates	140
Application of Rates	90
Application of Tariff--Carriers	20
Application of Tariff--Commodities	40
Application of Tariff--Territorial	30-31
Application of Western Classification and Exception	
Sheet	50
Charges for Service at Other Than Regular Working	
Hours	110
Collect on Delivery Shipments	160
Delays to Equipment	120
Disposition of Fractions	150
Exceptions to Western Classification and Exception	
Sheet	170-310
Gross Weight	70
Minimum Charge	130
Rates Based on Varying Minimum Weights	80
Shipments to be Rated Separately	60
Technical Terms, Definition of	10-11
Rules and Regulations governing Unit Rates in Section 3 .	360-361
EFFECTIVE AS SHOWN ON TITLE PAGE	
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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	210	Metal, scrap	250
Beans, dry	200	Nuts, edible	260
Beer	210	Paper, newsprint	270
Beer Tonic	210	Paper, waste	250.
Beverages, malt	210	Peas, dry	200
Canned Goods as described in Item No. 210 series of the Exception Sheet	220	Porter	210
Carriers (used packages) as described in Item No. 300 series of the Exception Sheet	230	Rags	250
Cement, portland, building	340	Refuse (citrus fruit)	280
Flowers, fresh cut	240	Sacks, old, worn-out	250
Freight, in shipments of less than 100 pounds	350	Salt, common	290
Junk as described	250	Stout	210
Lentils, dry	200	Sugar	300
		Tires (rubber), old	250
		Tubes (rubber), old	250
		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.

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Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION
10	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11 series)</p> <p>(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).</p> <p>(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.</p> <p>(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.</p> <p>(d) ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p>(e) 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.</p> <p>(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.</p> <p>(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.</p> <p>(h) RATE includes charge, and also the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p>(i) 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.</p> <p style="text-align: center;">(Concluded on Page 6)</p>
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No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
11	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11 series)</p> <p>(j) 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.</p> <p>(k) WESTERN CLASSIFICATION means Western Classification No. 69 C.R.C.-W.C. No. 2 of R. C. Fyfe, Agent, and supplements thereto or reissues thereof when the provisions of said supplements or reissues have been approved by the Commission.</p>
20	<p style="text-align: center;">APPLICATION OF TARIFF - CARRIERS</p> <p>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.</p>
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No.

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

30

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)

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Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
31	<p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL (Concluded) (Items Nos. 30 and 31 series)</p> <p style="text-align: center;">Zone 5</p> <p>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 southwesterly 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.</p> <p style="text-align: center;">Zone 6</p> <p>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.</p> <p style="text-align: center;">Zone 7</p> <p>All territory within the corporate limits of Coronado.</p> <p style="text-align: center;">Zone 8</p> <p>All territory within the corporate limits of National City.</p> <p style="text-align: center;">Zone 9</p> <p>All territory within the corporate limits of Chula Vista.</p> <p style="text-align: center;">Zone 10</p> <p>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.</p>
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Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
40	<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES</p> <p>Rates in this tariff apply for the transportation of all commodities except the following:</p> <p>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 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,</p>
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No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
50	<p style="text-align: center;">APPLICATION OF WESTERN CLASSIFICATION AND EXCEPTION SHEET</p> <p>(a) This tariff is governed to the extent shown herein by the Western Classification and the Exception Sheet.</p> <p>(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.</p>
60	<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.</p>
70	<p style="text-align: center;">GROSS WEIGHT</p> <p>Charges shall be assessed on the gross weight of the shipment. No allowance shall be made for the weight of containers.</p>
80	<p style="text-align: center;">RATES BASED ON VARYING MINIMUM WEIGHTS</p> <p>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.</p>
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No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)								
90	<p style="text-align: center;">APPLICATION OF RATES</p> <p>(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.</p> <p>(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.</p> <p>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.</p>								
100	<p style="text-align: center;">ACCESSORIAL CHARGES</p> <p>An additional charge at the rate of \$1.00 per man per hour, minimum 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.</p>								
110	<p style="text-align: center;">CHARGES FOR SERVICE AT OTHER THAN REGULAR WORKING HOURS</p> <p>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:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">New Year's Day</td> <td style="width: 50%;">Labor Day</td> </tr> <tr> <td>Washington's Birthday</td> <td>Thanksgiving Day</td> </tr> <tr> <td>Decoration Day</td> <td>Christmas Day</td> </tr> <tr> <td>Fourth of July</td> <td></td> </tr> </table>	New Year's Day	Labor Day	Washington's Birthday	Thanksgiving Day	Decoration Day	Christmas Day	Fourth of July	
New Year's Day	Labor Day								
Washington's Birthday	Thanksgiving Day								
Decoration Day	Christmas Day								
Fourth of July									
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Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
120	<p style="text-align: center;">DELAYS TO EQUIPMENT</p> <p>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.</p>
130	<p style="text-align: center;">MINIMUM CHARGE</p> <p>The minimum charge per shipment shall be as follows:</p> <p><u>Weight of Shipment</u></p> <p>Less than 100 pounds See Item No. 350 series 100 pounds and over 40 cents</p>
140	<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>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.</p>
150	<p style="text-align: center;">DISPOSITION OF FRACTIONS</p> <p>In computing a rate based on a percentage of another rate, the following rule shall be observed in the disposition of fractions:</p> <p>Fractions of less than 1/2 or .50 of a cent, omit.</p> <p>Fractions of 1/2 or .50 of a cent or greater, increase to next whole figure.</p>
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Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)										
160	<p style="text-align: center;">COLLECT ON DELIVERY (C.O.D.) SHIPMENTS</p> <p>(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.</p> <p>(b) The charges for collecting and remitting the amount of C.O.D. bills collected on C.O.D. shipments shall be as follows:</p> <table style="margin-left: 40px;"> <tr> <td>Under \$100.00 one-half of one per cent, minimum charge ...</td> <td>\$.15</td> </tr> <tr> <td>\$100.00 and not over \$200.00</td> <td>.50</td> </tr> <tr> <td>Over \$200.00 and not over \$300.00</td> <td>.70</td> </tr> <tr> <td>Over \$300.00 and not over \$500.00</td> <td>.80</td> </tr> <tr> <td>Over \$500.00 add 25 cents for each \$100.00 or fraction thereof.</td> <td></td> </tr> </table>	Under \$100.00 one-half of one per cent, minimum charge ...	\$.15	\$100.00 and not over \$200.0050	Over \$200.00 and not over \$300.0070	Over \$300.00 and not over \$500.0080	Over \$500.00 add 25 cents for each \$100.00 or fraction thereof.	
Under \$100.00 one-half of one per cent, minimum charge ...	\$.15										
\$100.00 and not over \$200.0050										
Over \$200.00 and not over \$300.0070										
Over \$300.00 and not over \$500.0080										
Over \$500.00 add 25 cents for each \$100.00 or fraction thereof.											
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No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)																																																																			
	EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET																																																																			
170	<p style="text-align: center;">RULES</p> <p>Rates in this tariff are not subject to the provisions of the following rules of the Western Classification:</p> <table style="margin-left: auto; margin-right: auto;"> <tr><td>1</td><td>6</td><td>10</td><td>15</td><td>29</td><td>34</td><td>40</td><td>47</td></tr> <tr><td>3</td><td>7</td><td>11</td><td>16</td><td>30</td><td>35</td><td>41</td><td></td></tr> <tr><td>4</td><td>8</td><td>13</td><td>24</td><td>31</td><td>38</td><td>43</td><td></td></tr> <tr><td>5</td><td>9</td><td>14</td><td>27</td><td>32</td><td>39</td><td>44</td><td></td></tr> </table> <p>Rates in this tariff are not subject to the provisions of the following rules of the Exception Sheet:</p> <table style="margin-left: auto; margin-right: auto;"> <tr><td>10</td><td>42</td><td>62</td><td>105</td><td>140</td><td>161</td><td>180</td></tr> <tr><td>15</td><td>45</td><td>65</td><td>110</td><td>145</td><td>165</td><td></td></tr> <tr><td>35</td><td>50</td><td>75</td><td>115</td><td>150</td><td>168</td><td></td></tr> <tr><td>38</td><td>60</td><td>78</td><td>120</td><td>155</td><td>170</td><td></td></tr> <tr><td>40</td><td>61</td><td>100</td><td>125</td><td>160</td><td>175</td><td></td></tr> </table>	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		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	
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																																																														
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	<p style="text-align: center;">RATINGS</p> <p>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.</p>																																																																			
190	<p style="text-align: center;">PACKING REQUIREMENTS</p> <p>Articles will not be subject to the packing requirements of the Western Classification or Exception Sheet, but may be accepted for transportation in any container or any shipping form, providing such container or form of shipment will render the transportation of the freight reasonably safe and practicable.</p> <p>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.</p>																																																																			
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SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Concluded)		
No.	EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET (Concluded)	CLASS RATING
200	Beans, Peas, and Lentils, dry	90% of 4
210	Beverages, malt, viz.: Ale, Beer, Beer Tonic, Porter, Stout	4
220	Canned Goods, as described in Item No. 210 series of the Exception Sheet	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	4
270	Paper, newsprint, in rolls	4
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	4
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SECTION NO. 2

CLASS AND COMMODITY RATES
AND
RATE BASES APPLICABLE THERETO

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Item No.	SECTION NO. 2 - CLASS AND COMMODITY RATES AND RATE BASES APPLICABLE THERETO									
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:										
320	Between	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9
	and									
	Zone 1	A	-	-	-	-	-	-	-	-
	Zone 2	B	A	-	-	-	-	-	-	-
	Zone 3	C	C	B	-	-	-	-	-	-
	Zone 4	D	D	C	B	-	-	-	-	-
	Zone 5	E	D	E	F	B	-	-	-	-
	Zone 6	E	D	E	F	D	B	-	-	-
	Zone 7	C	D	D	E	E	F	A	-	-
	Zone 8	C	D	C	C	E	F	E	A	-
	Zone 9	E	F	E	E	F	F	F	B	A
Zone 10	D	E	E	F	F	G	B	F	G	
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SECTION NO. 2 - CLASS AND COMMODITY RATES AND RATE BASES
APPLICABLE THERETO (Continued)

CLASS RATES

In cents per 100 pounds

330

Rate Basis	MINIMUM WEIGHT IN POUNDS											
	(1) 100				500				2,000			
	1	2	3	4	1	2	3	4	1	2	3	4
A	25	23	20	18	20	18	16	14	17	15	14	12
B	28	25	22	20	22	20	18	15	19	17	15	13
C	31	28	25	22	24	22	19	17	21	19	17	15
D	34	31	27	24	26	23	21	18	23	21	18	16
E	37	33	30	26	28	25	22	20	25	23	20	18
F	40	36	32	28	30	27	24	21	27	24	22	19
G	43	39	34	30	32	29	26	22	29	26	23	20

Rate Basis	MINIMUM WEIGHT IN POUNDS							
	4,000				10,000			
	1	2	3	4	1	2	3	4
A	12	11	10	8	9	8	7	6
B	14	13	11	10	10	9	8	7
C	16	14	13	11	11	10	9	8
D	18	16	14	13	11	10	9	8
E	20	18	16	14	12	11	10	9
F	22	20	18	15	12	11	10	9
G	24	22	19	17	13	12	10	9

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

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SECTION NO. 2 - CLASS AND COMMODITY RATES AND RATE BASES APPLICABLE
THERE TO (Concluded)

COMMODITY RATES

340	Cement, portland, building	
	Minimum Weight 28,500 Pounds	
	<u>Miles</u>	<u>Rates in Cents per 100 Pounds</u>
	<u>Over</u> <u>But not over</u>	<u>(Subject to Notes 1 and 2)</u>
	0 2½	2½
	For each additional 5 miles or fraction thereof, add	
		1/2
	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.	

350	FREIGHT, regardless of classification, transported between or within the zones described in Items Nos. 30 and 31 series,	
	<u>Weight in Pounds</u>	<u>Rates in Cents per Shipment</u>
	15 or less	20
	Over 15 but not over 35	25
	Over 35 but not over 55	30
	Over 55 but not over 75	35
	Over 75 but not including 100	40

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SECTION NO. 3

UNIT RATES, RULES AND REGULATIONS

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

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San Francisco, California.

Item
No.

SECTION NO. 3 - UNIT RATES, RULES AND REGULATIONS

RULES AND REGULATIONS
(Items Nos. 360 and 361 series)

(a) Rates named in this section are subject to Items Nos. 10 and 11 series, Definition of Technical Terms, Items Nos. 30 and 31 series, Application of Tariff-Territorial, Item No. 40 series, Application of Tariff-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.

(b) Rates named in this section apply only when the property is transported by one carrier for one shipper.

(c) Prior to the transportation of the property, the shipper must enter into a written agreement with the carrier to ship at rates no lower than those provided in this section, stating specifically the class of service desired. No single agreement shall cover shipments transported over a period in excess of 31 days. The agreement shall be in substantially the following form, and the original or a copy thereof shall be retained and preserved by the carrier, subject to the Commission's inspection, for a period of not less than three (3) years from the date of its issuance.

360

Date _____

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) 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 said tariff.

Shipper (name in full) By (name in full)

Confirmed:
Carrier _____ By (name in full)

NOTE.- In the event shipper and carrier agree to a basis higher than that provided by the Item, but in the same unit or units of measurement in which the minimum basis is stated, the agreed basis may be stated in place of the Item Number.

(Concluded on Page 22)

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Item No.	SECTION NO. 3 - UNIT RATES, RULES AND REGULATIONS (Continued)
361	<p style="text-align: center;">RULES AND REGULATIONS (Concluded) (Items Nos. 360 and 361 series)</p> <p>(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.</p>
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SECTION NO. 3 - UNIT RATES, RULES AND REGULATIONS (Continued)

FREIGHT, regardless of classification, transported between or within the zones described in Items Nos. 30 and 31 series, subject to Notes 1 and 2:

<u>Weight in Pounds</u>	<u>Rates in Cents per Hour</u>	<u>Minimum Charges in Cents</u>
250 or less	200	100
Over 250 but not over 500	200	125
Over 500 but not over 2,000	200	200
Over 2,000 but not over 3,000	225	225
Over 3,000 but not over 5,000	250	250
Over 5,000 but not over 8,000	300	300
Over 8,000 but not over 12,000	350	350
Over 12,000 but not over 20,000	400	400
Over 20,000	500	500

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.

370

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.

Less than 8 minutes	omit.
8 minutes or more but less than 23 minutes	shall be 1/4 hour.
23 minutes or more but less than 38 minutes	shall be 1/2 hour.
38 minutes or more but less than 53 minutes	shall be 3/4 hour.
53 minutes or more	shall be 1 hour.

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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 1	Column 2	Column 3	Column 4
2,500 or less	75	250	270	5
Over 2,500 but not over 5,000	85	270	295	6
Over 5,000 but not over 8,000	90	300	325	7
Over 8,000 but not over 12,000	100	355	385	10
Over 12,000 but not over 20,000	125	390	425	15
Over 20,000	155	485	530	20

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.

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.

380

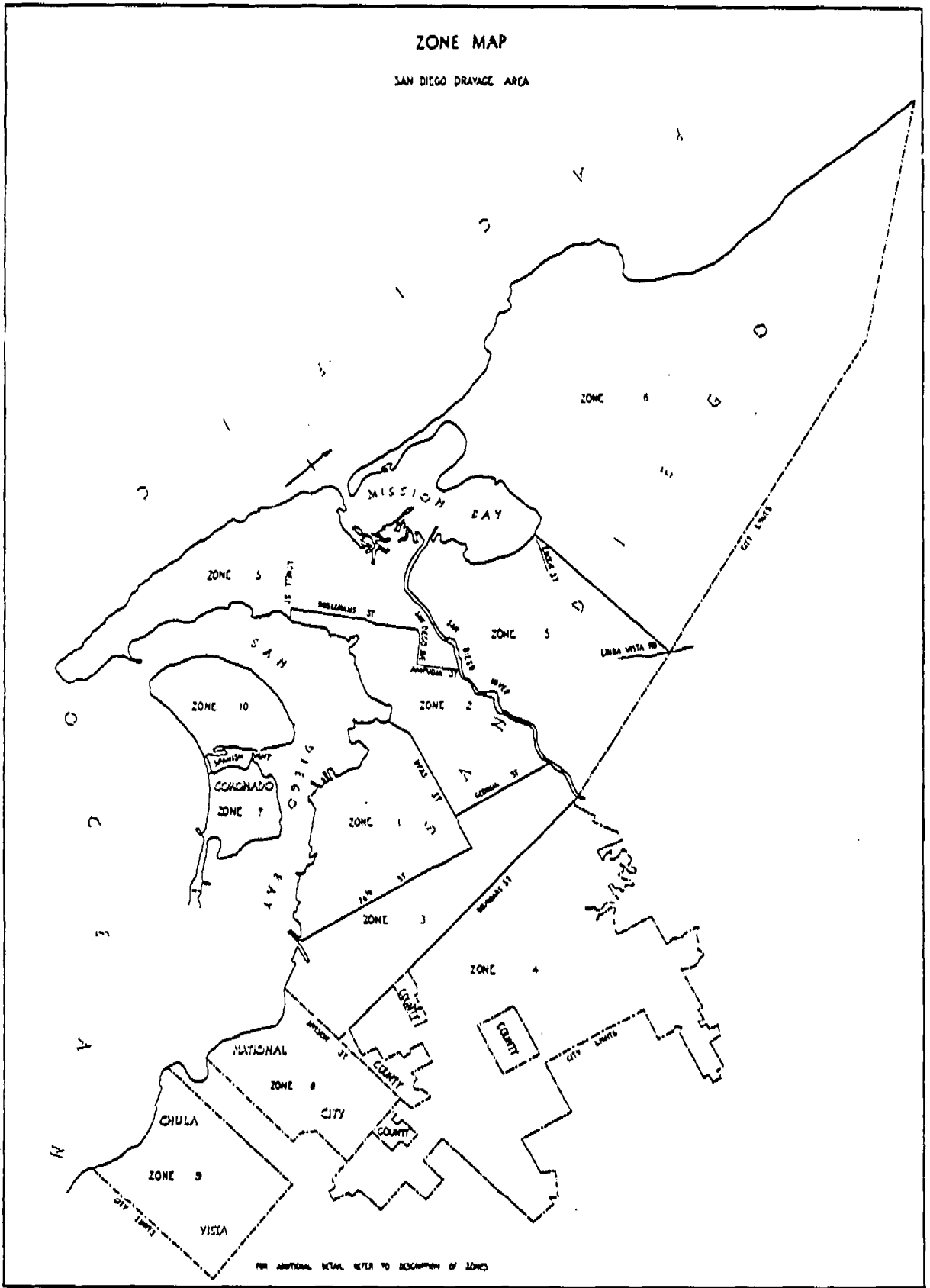
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ZONE MAP

SAN DIEGO DRAYAGE AREA



SHIPPING ORDER AND FREIGHT BILL
FOR
TRANSPORTATION OF PROPERTY IN THE SAN DIEGO DRAINAGE AREA
AT UNIT RATES

Name of Carrier _____ (Name of Carrier must be same as shown on Permit) Bill No. _____
 Permit No. _____
 Point of Origin _____ Date _____
 Shipper _____ Consignee _____
 Street Address _____ Street Address _____
 City _____ City _____

Pack-ages	Kind	Description of Commodities	(1) Weight	Hourly Equipment Unit Rates					Charges	
				Service	Time Started	Time Com-pleted	(2) Deduc-tions	Time for Computation of Charges		Rate per Hour
				Loading						
				Driving						
				Unloading						
				Total						
			(3) Weight	Weekly and Monthly Equipment Unit Rates						
				Period equipment unit is engaged				Date Started	Date Com-pleted	
				(4)						
				Miles operated _____						
				Maximum miles _____						
				Excess miles _____ Rate per mile _____						
			No. of Units	Weight Unit Rates per Calendar Month or any Portion Thereof (5)						
				Month of _____						
				Number of units _____ Rate per unit _____						
				Help in Addition to Driver						
				Service	No. of Men	Time Started	Time Com-pleted	(2) Deduc-tions	Time for Computation of Charges	Rate per Hour
				Loading						
				Driving						
				Unloading						
				Other ac-cessorial service (6)						
				Total						
Shipper _____ By _____ (Show name in full)				C.O.D. _____ (Amount to Collect)						
Received by carrier in good condition, except as noted:				Advances (6) _____						
By _____ Driver (Show name in full)				Other Charges (6) _____						
Received by consignee in good condition, except as noted:				Propaid _____						
(Show name in full)				TOTAL TO COLLECT						

- (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 DRAZAGE AREA
AT OTHER THAN UNIT RATES

Name of Carrier _____ Bill No. _____
 (Name of Carrier must be same as shown on Permit) Permit No. _____

Point of Origin _____ Date _____
 Shipper _____ Consignee _____
 Street Address _____ Street Address _____
 City _____ City _____

Packages	Kind	Description of Commodities	(1) Weight	Rate	Charges	
Accessorial Services						
Service	No. of Men	Time Started	Time Completed	(2) Deductions	Time for Computation of Charges	Rate per Hour
Sorting						
Stacking						
Other Accessorial Service (3)						
Total						
Check the following:						
Description of conditions under which shipment is picked up and delivered	Point of Origin	Point of Destination	Weight	Rate		
Street level						
Other than street level						
Vehicular elevator or ramp						
No vehicular elevator or ramp						
Shipper _____ By _____ (Show name in full)	C.O.D. _____ (Amount to Collect)					
Received by carrier in good condition, except as noted:	Advances (3) _____					
By _____ Driver (Show name in full)	Other Charges (3) _____					
Received by consignee in good condition, except as noted:	Prepaid _____					
(Show name in full)	TOTAL TO COLLECT					

- (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.