

Decision No. 36986

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

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

By petition, California Milk Transport, Inc., a highway common carrier transporting milk from dairies to creameries and distribution plants, seeks to be relieved from the requirements of Decision No. 31606 (41 C.R.C. 671) with respect to the issuance of shipping documents.¹

The verified petition discloses that the milk is shipped in 10-gallon shipping cans, that the rates involved are stated in cents per can and that transportation charges are paid by the creameries and distribution plants. Petitioner proposes that each dairyman be supplied with a "milkhouse card" on which daily entries of the number of cans shipped will be made by the drivers and that "creamery sheets" be issued listing the number of cans received from

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Common carriers were directed to issue a shipping document (in individual or manifest form) for each shipment, showing the names of the consignor and consignee, the points of origin and destination, the commodity shipped, the weight or other unit of measurement used in the determination of charges, the rate assessed and the charges collected. They were also required to retain and preserve copies of these documents, subject to the Commission's inspection, for not less than three years. See ordering paragraph 13 of Decision No. 31606.

each dairyman.² The receipt of the milk is proposed to be acknowledged on the "creamery sheets" and charges are proposed to be billed periodically based upon the information provided by these documents.

Petitioner alleges that the use of its plan would avoid the confusion and unnecessary work attending the issuance and handling of separate shipping documents for each shipment and would tend to reduce errors in billing. It further alleges that, in the face of the specialized character of its operations and other circumstances peculiar to these operations, the shipping documents proposed to be used would provide an adequate record of all transactions. Their use is said to have been approved by petitioner's patrons.

The shipping document forms submitted by petitioner fail to make provision for showing the locations of the points of origin and destination, information which is necessary in order to determine the applicable charges. In other respects, they appear to provide a complete record of the shipments handled. The petition will be granted to the extent necessary to permit the use of the proposed forms in lieu of individual documents for each shipment. Petitioner will be required, however, to show the locations of the points of origin and destination on the "creamery sheets" and to retain and preserve copies of said sheets and the freight bills issued therefrom, subject to the Commission's inspection, for a period of not less than three years from the date of their issuance. A public hearing is not necessary.

Therefore, good cause appearing,

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Specimen forms of these documents are attached to the petition as Exhibits "A" and "B", respectively.

IT IS HEREBY ORDERED that California Milk Transport, Inc., in connection with the transportation of milk in 10-gallon shipping cans, be and it is hereby authorized to use the forms of shipping documents attached to its petition in this proceeding, filed February 23, 1944, or other similar forms on which like information will be inserted, in lieu of the shipping documents required to be issued under ordering paragraph 13 of Decision No. 31606, provided that on the "creamery sheet" form attached to said petition as Exhibit "B" or an appropriate revision thereof the locations of the points of origin and destination be shown.

IT IS HEREBY FURTHER ORDERED that a copy of each of the aforesaid "creamery sheets" and each of the freight bills issued by petitioner on the basis of the information provided by said sheets shall be retained and preserved by California Milk Transport, Inc., subject to the Commission's inspection for a period of not less than three (3) years from the date of its issuance.

This order shall become effective on the date hereof.

Dated at Los Angeles, California, this 11th day of April, 1944.

Richard R. Backe
Arthur D. Cooney
Francis D. Havens
James W. Clark
Irvin L. Howell
 Commissioners