

Decision No. 41738

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of)
just, reasonable and nondiscriminatory)
maximum or minimum or maximum and min-)
imum rates, rules, classifications and)
regulations for the transportation of)
property for compensation or hire over)
the public highways of the City of)
Los Angeles.)

Case No. 4121

Appearances

Russell Bevans, Aaron H. Clickman,
E. H. Hart, William Larimore, and
Charles C. Miller, for various
carriers, carrier associations,
and tariff publishing agents.
J. J. Deuel and Alex Meyer, for
California Farm Bureau Federation.
S. A. Moore, for Permanente Cement Company.

SUPPLEMENTAL OPINION AND ORDER

Minimum rates for the transportation of property over the public highways in Los Angeles County by city carriers, radial highway common and highway contract carriers have been promulgated in City Carriers' Tariff No. 4 - Highway Carriers' Tariff No. 5 (Appendix "A" to Decision No. 32504, as amended, in this proceeding). Rules and regulations governing the application of these rates have been made a part of the tariff. Other rules and regulations established by outstanding orders but which do not directly affect the application of the rates have not been incorporated in the tariff. Upon due notice to interested parties, an adjourned public hearing was scheduled for the receipt of evidence relative to the advisability of doing so. This hearing was had at San Francisco on June 8, 1948, before Examiner Mulgrew.

A rate expert employed by the Commission introduced an exhibit consisting of proposed tariff amendments. These tariff

¹
The hearing also involved the receipt of similar evidence in Cases Nos. 4084, 4108, 4109, 4246, 4434 and 4808 with regard to other minimum rate tariffs. This evidence is treated in decision issued today which deal with each of these tariffs.

provisions, he said, were no different in scope or effect than the present provisions of the orders; the changes in language he explained were made merely for the purpose of adapting the requirements of the orders to tariff publication. The proposals involve provisions relating to the issuance of shipping documents and prohibiting the use of rates in units of measurement different from those in which minimum rates are stated. By the tariff rule method, the witness asserted, interested parties could, by reference to the tariff, be fully informed with respect to the requirements which must be observed. He testified that the service of rate orders on the carriers and other interested parties would be simplified by using the tariff process.

Interested parties offered no objections; however, some of them alleged it is impractical for carriers to furnish shipping documents with all the required entries filled in at the time of the tender of shipments. It was suggested that the carriers be permitted to furnish rates and weights subsequent to the receipt of shipments and use bills of lading supplemented by subsequently issued freight bills.

Outstanding orders relating to the issuance of shipping documents do not require that these documents be completed at the time of the tender of shipments to the carriers. They contain a "suitable and proper" combined shipping order and freight bill. Other forms may be used, provided they supply all of the required information concerning the transportation involved. In these circumstances the suggested changes in shipping document requirements do not appear to be necessary.

It appears that the amendments to City Carriers' Tariff No. 4 - Highway Carriers' Tariff No. 5 proposed by the rate expert will enable more ready determination of the requirements of outstanding orders, and at the same time permit improvement in procedures in the service of rate orders. The tariff will be amended accordingly.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Decision No. 32504, as amended, in this proceeding, be and it is hereby further amended by incorporating in City Carriers' Tariff No. 4 - Highway Carriers' Tariff No. 5 (Appendix "A" of said Decision No. 32504, as amended), the original and revised pages attached hereto and by this reference made a part hereof, which pages are numbered as follows:

Second Revised Page 2 cancels First Revised Page 2.
First Revised Page 6 cancels Original Page 6.
First Revised Page 14 cancels Original Page 14.
Original Page 15-A.
Second Revised Page 37 cancels First Revised Page 37
Fourth Revised Page 41 cancels Third Revised Page 41
Original Page 42
Original Page 43
Original Page 44

In all other respects the aforesaid Decision No. 32504, as amended, shall remain in full force and effect.

This order shall become effective thirty (30) days from the date hereof.

Dated at San Francisco, California, this 22nd day of June, 1948.

R. F. Dinkerman
Justice F. Calves
Irving F. Quinnell
Harold H. Kils
Samuel L. Potter
Commissioners

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*Change, Decision No. 41738

EFFECTIVE July 22, 1948

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

Correction No. 80

ARRANGEMENT OF TARIFF

This is a loose-leaf tariff consisting of six 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. 3 and Section No. 4 of the tariff.

SECTION NO. 2 contains rate bases.

SECTION NO. 3 contains class rates.

SECTION NO. 4 contains commodity rates.

SECTION NO. 5 contains unit rates, rules and regulations.

*SECTION NO. 6 contains forms of shipping document.

* Change, Decision No. 41738

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Correction No. 81

Item 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 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.</p>
50	<p style="text-align: center;">SHIPMENTS TO BE RATED SEPARATELY</p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the Carrier. (Component parts of split delivery shipments, as defined in Item No. 10 (j) series, may be combined under the provisions of Item No. 130 series).</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>
*85 Added	<p style="text-align: center;">UNITS OF MEASUREMENT IN QUOTATION OF RATES AND CHARGES</p> <p>Rates or accessorial charges shall not be quoted or assessed by carriers based upon a unit of measurement different from that in which the minimum rates and charges in this tariff are stated.</p>
*Change, Decision No. 41738	
EFFECTIVE July 22, 1948	
<p>Issued by The Public Utilities Commission of the State of California. San Francisco, California. Correction No. 82</p>	

Item No.	SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
*95 Added	<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENT</p> <p>(1) A shipping document (either in individual or manifest form) shall be issued by the carrier to the shipper for each shipment received for transportation. The shipping document shall show the following information (see exception):</p> <ul style="list-style-type: none"> (a) Name of shipper. (b) Name of consignee. (c) Point of origin. (d) Point of destination. (e) Description of the shipment (in terms of the Western Classification or Exception Sheet or as provided in this tariff). (f) Weight of the shipment (or other factor or measurement upon which charges are based). (g) Rate and charge assessed. (h) Such other information as may be necessary to an accurate determination of the applicable minimum rate and charge. <p>(2) The forms of shipping document in Items Nos. 440 and 450 series will be suitable and proper.</p> <p>(3) A copy of each shipping document, also of each delivery receipt and freight bill to which reference is made in the Exception below, shall be retained and preserved by the issuing carrier, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.</p> <p>Exception. The shipping document in manifest form may be issued to the shipper without all the information prescribed in paragraph (1) of this item when supplemented by the issuance to consignees of freight bills or delivery receipts and freight bills containing the required information not shown on said shipping document in manifest form.</p>
*Change, Decision No. 41738	
EFFECTIVE July 22, 1948	
<p>Issued by The Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 83</p>	

Item No.	SECTION NO. 5--UNIT RATES, RULES AND REGULATIONS
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RULES AND REGULATIONS

(Items Nos. 400 and 401 series)

(a) Rates named in this section are subject to Items Nos. 10 and 11 series, Definition of Technical Terms, Items Nos. 30, 31, 32 and 33 series, Application of Tariff-Territorial, Item No. 40 series, Application of Tariff-Commodities,* Item No. 85 series, Units of Measurement in Quotation of Rates and Charges,* Item No. 95 series, Issuance of Shipping Document, Item No. 150 series, Collect on Delivery (C.O.D.) Shipments, and Item No. 160 series, Collection of Charges. 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.

*400-B
 Cancels
 400-A

Date.....

In accordance with the provisions of Item No. 400 series of City Carriers' Tariff No. 4, Highway Carriers' Tariff No. 5 (Appendix "A" of Decision No. 32504, as amended, in Case No. 4121), 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..... By.....
 (name in full) (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 35)

*Change, Decision No. 41738

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 Correction No. 24 San Francisco, California.

Item No.	SECTION NO. 5-UNIT RATES, RULES AND REGULATIONS (Concluded)					
	FREIGHT, regardless of classification, transported between or within the zones described in Items Nos. 30, 31, 32 and 33 series:					
	Weight in Pounds subject to Note 1:	Columns				
		1	2	3	4	5
	2,500 or less.....	116	366	424	5 $\frac{1}{2}$	266
	Over 2,500 but not over 5,000...	124	393	456	7	266
	Over 5,000 but not over 8,000...	129	409	469	7 $\frac{1}{2}$	266
	Over 8,000 but not over 12,000...	140	450	513	8	266
	Over 12,000 but not over 20,000...	155	486	558	9 $\frac{1}{2}$	288
	Over 20,000 but not over 30,000...	167	518	598	10	288
	Over 30,000.....	205	650	739	12 $\frac{1}{2}$	295
	<p>COLUMN 1-Rates in dollars per unit of carrier's equipment for a period of six successive days or any portion thereof, excluding Sundays and holidays, and limited to 8 hours out of each 9 consecutive hours. When equipment is operated in excess of 300 miles during such period, add rates provided by Column 4. When equipment is operated in excess of 8 hours in each 9 hours, add rates provided by Column 5.</p>					
430-C Cancels	<p>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 holidays, for a period of twenty-one successive days exclusive of Saturdays, Sundays and 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. When equipment is operated in excess of 8 hours in any one day, add rates provided by Column 5.</p>					
	<p>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 holidays, for a period of twenty-five successive days, exclusive of Sundays and 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. When equipment is operated in excess of 8 hours in any one day, add rates provided by Column 5.</p>					
	<p>COLUMN 4-Rates in cents per mile to be added to the Columns 1, 2 and 3 rates when the unit of carrier's equipment is operated in excess of the maximum mileage allowed thereunder.</p>					
	<p>COLUMN 5-Rates in cents per hour to be added to the Columns 1, 2 and 3 rates when the unit of carrier's equipment is operated in excess of the maximum hours allowed thereunder.</p>					
	<p>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.</p>					

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*Change; words "End of Tariffs" eliminated.
Decision No. 41738

EFFECTIVE July 22, 1948

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San Francisco, California.
Correction No. 85

* SECTION NO. 6

FORMS OF SHIPPING DOCUMENT TO

WHICH REFERENCE IS MADE IN

ITEM 25 SERIES

*Change, Decision No. 41738

EFFECTIVE July 22, 1948

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.

Correction No. 86

SECTION NO. 6 - FORMS OF SHIPPING DOCUMENTS

* Item No. 440 Added

SHIPPING ORDER AND FREIGHT BILL FOR
TRANSPORTATION OF PROPERTY IN THE LOS ANGELES DRAYAGE 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 _____

Packages	Kind	Description of Commodities	(1) Weight	Hourly Equipment Unit Rates						Charges
				Service	Time Started	Time Completed	(2) Deductions	Time for Computation of Charges	Rate per hour	
				Loading						
				Driving						
				Unloading						
				Total						
			(3) Weight	Weekly and Monthly Equipment Unit Rates				Date Started	Date Completed	
				Period equipment unit is engaged:						
				(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 Completed	(2) Deductions	Time for Computation of Charges	Rate per Hour
				Loading						
				Driving						
				Unloading						
				Other Accessorial service (6)						
				Total						

Shipper _____ C.O.D. _____ (Amount to Collect)
By _____ (Show name in full) Advances (6) _____
Received by carrier in good condition, except as noted: _____
By _____ Driver (Show name in full) Other Charges (6) _____
Received by consignee in good condition, except as noted: _____
(Show name in full) Prepaid _____
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 applicable 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.
*Change, Decision No. 41738

EFFECTIVE July 22, 1948

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San Francisco, California.
Correction No. 87

SECTION NO. 6 - FORMS OF SHIPPING DOCUMENT

* Item No. 450 Added

SHIPPING ORDER AND FREIGHT BILL FOR TRANSPORTATION IN
THE LOS ANGELES DRAYAGE AREA
AT OTHER THAN 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 _____

Packages	Kind	Description of Commodities	Weight (1)	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 _____ C. O. D. _____ (Amount to Collect)
 By _____ (Show name in full) Advances (3) _____
 Received by carrier in good condition, except as noted: Other Charges (3) _____
 By _____ Driver (Show name in full) Prepaid _____
 Received by consignee in good condition, except as noted: (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.

END OF TARIFF

* Change, Decision No. 41738

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Correction No. 88