

ORIGINAL

Decision No. 43301

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into)
the rates, rules, regulations, charges,)
allowances and practices of all common)
carriers, highway carriers and city)
carriers relating to the transportation)
of property.)

Case No. 4808

Appearances

Arlo Poe, Ivan McWhinney, Larry M. Fites, Frank M. Chandler, Reginald L. Vaughan, H. J. Bischoff, Lester Parker, Aaron H. Glickman, and Marvin Handler, for various carriers and carrier associations.

John S. Griffin and Charles F. Lawrence, for United States Department of Agriculture.

J. J. Deuel and Edson Abel, for California Farm Bureau Federation.

Thomas R. Phillips and C. B. Moore, for Western Growers Association.

Robert C. Neill, for California Fruit Growers Exchange.

Harry Helfrich, for American Fruit Growers, Inc.

SUPPLEMENTAL OPINION

By prior orders in this proceeding minimum rates, rules and regulations have been established for the transportation of fresh fruits and vegetables between points within California. This opinion deals with proposed changes in the rules and regulations, particularly those relating to the determination of shipping weights.

Public hearings were held before Examiner Bryant at Los Angeles and San Francisco; a proposed report of the examiner was distributed to interested parties; and exceptions to the report have been filed. The matter is now ready for decision.

From its inception in 1941 the minimum rate tariff has specified some 200 "estimated" weights which are required to be used to the exclusion of scale weights.¹ Necessarily the "estimated" weights are provided only for specified commodities moving in various designated "standard" containers. Commodities shipped in other containers are subject to actual or "certified" weights.²

On the present record a senior transportation rate expert of the Commission's staff recommended that the estimated weights be canceled from the tariff, and that thereafter the charges be based upon actual weights or, at option of carrier and shipper, agreed average weights. He declared that the existing provisions governing estimated weights have not been generally observed or applied in accordance with the tariff; that new types of containers and changed packing methods have presented some problems; and that other practical difficulties have been encountered in the application of estimated weights.

Other witnesses were the traffic manager for Western Growers Association, who opposed the recommended revisions in their entirety; and two representatives of the Truck Owners Association of California, who favored the revisions in general but suggested some modifications. Most of the evidence relates to details of the

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The minimum rates, rules and regulations for the transportation of fresh fruits and vegetables between points within California are set forth in Highway Carriers' Tariff No. 8 (Appendix "C" to Decision No. 33977 of March 11, 1941, as amended, in Case No. 4293).

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"Certified" weights, which may be used only on the nonstandard containers, apply where a shipper determines the average weight of a small number of the filled containers and supplies a certificate to that effect. It appears from the present record that, for reasons not developed, little or no use has been made of "certified" weights.

recommended weight agreements. Detailed description of the evidence, which has already been described in the report of record, is unnecessary.

In his report the examiner concluded that the use of prescribed "estimated" weights, as now required by the minimum rate tariff, has proved to be generally unsatisfactory; and that the substitution of a plan of actual or agreed weights would overcome many of the existing difficulties. He recommended adoption, with some modifications, of the general plan proposed by the Commission witness.

Five parties filed exceptions to the proposed report. The Truck Owners Association of California took exception to the examiner's failure to find (1) that a public weighmaster's certificate should be attached to all weight agreements filed with the Commission, the cost to be paid by the carrier, and (2) that weight agreements should be entered into only with respect to those types of containers known as standard containers. In all other respects the Truck Owners Association concurred in the examiner's report and recommendations. Southern California Freight Lines and Southern California Freight Forwarders concurred in the substitution of actual weights for the present "estimated" weights, but took exception to that portion of the report providing for agreed weights. These carriers urged: "The way to avoid discrimination and give equal treatment to all shippers is to require actual weights. The mere fact that some shipments are picked up in the field does not justify opening the door to discrimination by adopting short cuts that are impractical. Rates on practically all other commodities are based upon the weight and we do not see adequate justification for departing from a sound and well-established practice." California Fruit Growers Exchange and Western Growers Association took exception to the basic conclusions of the

examiner, and urged that the estimated weights be retained, subject to modification where necessary. These shipper associations argued that published estimated weights are mutually convenient for the use of highway carriers and shippers, and should not be canceled merely for the reason that highway carriers have neglected to secure seasonal test weights; that the proposed weight agreement plan would result in a more chaotic and less satisfactory situation than the present system of uniform published weights; that it is hardly conceivable that the vast movement of traffic by highway carriers can be handled more satisfactorily under actual or agreed weights; and that any system of agreed weights would call for constant inspection and policing.³

Conclusions

The record is persuasive that "estimated weights" on fresh fruits and vegetables have proved over a period of years to be unsatisfactory in their practical application to state-wide minimum rates. The weights do not represent an estimate of the actual weights applicable to any particular shipment or group of shipments, but represent rather the averages of a large number of packages as determined or agreed upon at some time in the past. If the estimated weight approximates the actual weight of any shipment, it is a matter of coincidence rather than design. Charges under the existing minimum rates are predicated in general upon the cost of transporting shipments of various weights for various distances. Accordingly, if the weights are understated or overstated the minimum rates will produce deficient or excessive charges.

³ Exceptions were due on July 15, 1949. California Grape and Tree Fruit League, which did not participate in the hearings, filed exceptions on August 9, 1949.

The prescription of estimated weights requires that they be limited to commodities in standardized containers; and the container descriptions must be carefully stated in the tariff and identified in the carriers' shipping documents. As a practical matter, the highway carriers apparently have experienced difficulty in including proper container references in their documents. Moreover, many packages in regular use vary to some extent from the established standards; and a substantial portion of the tonnage moves in containers which are not related to the standardized packages at all. The greater difficulty, however, lies in the fact that there can be little standardization in the weight of the contents. All parties of record are in agreement that weights on the same commodity will differ greatly as between shippers; that individual shippers have wide weight variances throughout the year; and that weights differ with size and variety of the product, location of growth, and method of packing.

The estimated-weight device was adopted from the rail tariffs in the initial establishment of minimum rates for highway transportation in this state.⁴ As applied to the rail lines, particularly for transcontinental and other interstate movements, the device has unquestionably served a necessary purpose. There is general agreement that for these rail movements the use of estimated weights is mutually beneficial to both carriers and shippers.⁵ However, the weights as thus applied were developed on the theory that all of the weights of all of the packages from all of the shippers will produce a fair

⁴ Most of the rail container descriptions and estimated weights have been retained in Highway Carriers' Tariff No. 8 without change to the present time.

⁵ See Estimated Weights on Fruits and Vegetables, I. & S. Docket No. 4577, decided June 2, 1941, 245 I.C.C. 480.

average. Although the results may be satisfactory for the rail lines, which are limited in number, it now appears that the theory does not find proper application in connection with minimum rates prescribed by this Commission for use by the thousands of highway carriers who must necessarily be concerned with particular shipments and not with state-wide averages. Individual highway carriers have no practical opportunity to participate in the volume of traffic necessary to reflect the average weights. Moreover, the rail estimated weights were established voluntarily by the rail lines, and tend to be somewhat below rather than above any mathematical averages.⁶ The use of estimated weights under such circumstances is substantially different from their prescription by regulatory authority for use to the exclusion of actual weights in connection with minimum rates.

The several shipper associations, in urging that the estimated weights have been satisfactory and should be retained, apparently have not fully recognized the essential differences between voluntary publication for transcontinental rail movements and regulatory prescription for local truck movements. The present difficulties are not to be overcome by adjusting particular estimated weights from time to time, as suggested by the associations, but rather by reconsidering the basic principle of estimated weights. Upon careful consideration we conclude, as did the examiner in his proposed report, that the container descriptions and estimated weights now prescribed in Highway Carriers' Tariff No. 8 should be canceled in their entirety.

⁶ In one of its earliest decisions mentioning estimated weights the Interstate Commerce Commission said: "The failure to obtain exact weights, being for the convenience and advantage of the carriers, estimated weights should be below, rather than above, actual weights." (Jerome Hill Cotton Co. v. M.K.T. Railway Co. 6 I.C.C. 601, 617.)

Excluding the estimated weights, the present minimum rate tariff provides for the use of actual weights; or, at option of carrier and shipper, "certified" weights. The Commission witness likewise recommended the use of actual weights; or, as an alternative, "agreed" weights. No basic difference is apparent between the "agreements" suggested by the witness and the "certificates" which have been authorized under the tariff from its inception but which, according to the evidence, have not been favored or used by carriers or shippers. A number of the parties pointed out or suggested difficulties in the use of weight agreements, and no remedies for these difficulties were offered.⁷ At the public hearings no one specifically opposed the basic plan, other than the traffic manager for Western Growers Association. On the record then made the examiner recommended the use of weight agreements. However, the idea of weight agreements was disfavored, in exceptions to the report, by the shipper associations, and by Southern California Freight Forwarders and Southern California Freight Lines.⁸ The California Fruit Growers Exchange said: "If there is to be any substitution for the plan of estimated weights, it should be on the basis of the actual weights, instead of agreed weights as recommended in the proposed report."

The "agreed weight" proposal of the Commission rate witness, as recommended for adoption by the examiner, represents essentially an endeavor to circumscribe the sampling method of determining package weights. Under this plan, a single form of weight agreement would be

⁷ Examples of the difficulties and objections are set forth in the examiner's proposed report.

⁸ It was supported, apparently, only by Truck Owners Association of California.

prescribed for use in innumerable unlike situations. The agreed weight thus determined would not necessarily approximate the actual weight of any given shipment or number of shipments, since it would be based upon a single sampling and might be applied to many shipments tendered for as long as a year thereafter. The agreements, we believe, would be an invitation to discrimination. After careful consideration we are of the opinion that it is unnecessary and undesirable, if not impracticable, to particularize the circumstances and conditions under which shipment weights should be measured by averages. The "agreed weight" proposal will not be adopted.

One of the purposes of the establishment of minimum rates is to insure, so far as practicable, equal rates to all shippers without discrimination. Since weight affects the charge just as directly as does the rate, it is desirable that the rate be applied to the actual weight of the shipment. Any other weight, whether termed "prescribed", "estimated", "certified", or "agreed", is unsatisfactory to the extent that it varies from the actual gross weight of the particular shipment. It should be the responsibility of the carrier to ascertain the actual weight as accurately as is feasible, just as he must determine the kind of commodity, the length of haul, and all of the other factors entering into the application of transportation rates.

A requirement that transportation charges be based upon actual gross weight does not necessarily mean that every package must be physically passed over scales. Accurate scales, when they are available and their use is practical, will of course provide the best method of determining shipping weights. The weight of a shipment consisting of a considerable number of substantially identical packages may be determined with reasonable accuracy by weighing a sufficient number of the packages. Where there are a number of shipments of

similar packages, the sampling method may be extended, if necessary, without actually weighing a sample from each separate shipment. The method of determining the weight, whether by scaling, sampling, or otherwise, may best be decided by the carrier according to the particular circumstances encountered at the time. However ascertained, the weights will be more satisfactory and more accurate than prescribed "estimated" or "agreed" weights, since they will be related to the particular product and package at the time and place of shipment.

Other incidental tariff revisions, recommended by the examiner in his report, relating principally to vehicle and container icing, will be adopted. None of the parties took any exception to these recommended changes, and the modifications appear to be desirable and reasonable.

Upon careful consideration of all of the facts and circumstances of record, the Commission is of the opinion and finds as a fact that the substitution of actual weights for the estimated weights and certified weights now provided in Highway Carriers' Tariff No. 8 will tend to eliminate or minimize discrimination between shippers and carriers, and to produce equitable transportation charges. We are of the opinion and hereby find that modification of the existing rules and regulations for the transportation of fresh fruits and vegetables is justified to the extent hereinbefore indicated and as provided by the order herein.

O R D E R

Based upon the evidence of record, and upon the conclusions and findings set forth in the preceding opinion,

IT IS HEREBY ORDERED that Decision No. 33977, as amended, be and it is hereby further amended by incorporating in Highway

Carriers' Tariff No. 8 (Appendix "C" of said Decision No. 33977, as amended) to become effective November 20, 1949, the revised pages attached hereto and by this reference made a part hereof, which pages are numbered as follows:

Sixth Revised Page 2 cancels Fifth Revised Page 2
Second Revised Page 3 cancels First Revised Page 3
Third Revised Page 4 cancels Second Revised Page 4
Third Revised Page 5 cancels Second Revised Page 5
Sixth Revised Page 8 cancels Fifth Revised Page 8
Second Revised Page 9 cancels First Revised Page 9
Second Revised Page 10 cancels First Revised Page 10
Second Revised Page 11 cancels First Revised Page 11
Sixth Revised Page 14 cancels Fifth Revised Page 14
Third Revised Page 15 cancels Second Revised Page 15
Third Revised Page 21 cancels Second Revised Page 21
Second Revised Page 34 cancels First Revised Page 34
Second Revised Page 35 cancels First Revised Page 35
Fifth Revised Page 36 cancels Fourth Revised Page 36
Fourth Revised Page 37 cancels Third Revised Page 37
Second Revised Page 38 cancels First Revised Page 38
First Revised Page 39 cancels Original Page 39
First Revised Page 40 cancels Original Page 40
First Revised Page 41 cancels Original Page 41
First Revised Page 42 cancels Original Page 42
First Revised Page 46 cancels Original Page 46

IT IS HEREBY FURTHER ORDERED that tariff publications required to be made by common carriers as a result of the amendments hereof of the aforesaid tariff may be made effective not earlier than November 20, 1949, and on not less than five (5) days' notice to the Commission and to the public.

This order shall become effective forty (40) days after the date hereof.

Dated at San Francisco, California, this 13th day of September, 1949.

R. Z. [Signature]
James F. [Signature]
W. A. [Signature]
Harold P. [Signature]
Herbert P. [Signature]
Commissioners

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EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California,	
San Francisco, California.	
Correction No. 85	

ARRANGEMENT OF TARIFF

This is a loose-leaf tariff consisting of five sections.

SECTION NO. 1 contains rules and regulations.

SECTION NO. 2 contains commodity rates.

*SECTION NO. 3 - canceled.

SECTION NO. 4 contains routings applicable in connection with rates in Section No. 2.

SECTION NO. 5 contains form of shipping document.

*Change, Decision No. 43301

EFFECTIVE NOVEMBER 20, 1949

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 86

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION
*10-C Cancels 10-B	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11 series)</p>
	(a) CARRIER means a radial highway common carrier or a highway contract carrier, as defined in 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 at time of shipment.
	# (c-1) CONTAINER ICING means placing ice within the package with the fruit or vegetable shipped.
	(d) ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.
	(e) PICKUP AND DELIVERY CHARGE means the full charge applicable without the deduction authorized by Item No. 120 series.
	(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. (See also Item No. 120, paragraph 2.)
	(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; except that all locations on or along a single packing or shipping shed, and all locations within a radius of 100 yards from a single point, within a single field will be considered as one point of origin.
	(h) RAILHEAD means a point at which facilities are maintained for the loading of property into or upon, or the unloading of property from, rail cars or vessels. It also includes truck loading facilities of plants or industries located at such rail or vessel loading or unloading point.
	(i) RATE includes charge and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.
	(j) SAME TRANSPORTATION means transportation of the same kind and quantity of property and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.
* Change) # Addition)	
(Continued in Item No. 11 series) Decision No. 42301	
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, Correction No. 87 San Francisco, California.	

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
*11-C Cancels 11-B	<p>DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11 series)</p>
	<p>(k) 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. (See also paragraphs (l) and (m) of this item.)</p>
	<p>(l) SPLIT PICKUP SHIPMENT means a shipment consisting of several component parts, tendered at one time, received during one day and transported under one shipping document from (a) one consignor at more than one point of origin, or (b) more than one consignor at one or more points of origin the composite shipment weighing (or transportation charges computed upon a weight of) not less than 4,000 pounds, said shipment being consigned and delivered to one consignee at one point of destination and charges thereon being paid by the consignee when there is more than one consignor.</p>
	<p>(m) SPLIT DELIVERY SHIPMENT means a shipment consisting of several component parts delivered to (a) one consignee at more than one point of destination, or (b) more than one consignee at one or more points of destination, the composite shipment weighing (or transportation charges computed upon a weight of) not less than 4,000 pounds, said shipment being shipped by one consignor on one shipping document at one point of origin at one time and charges thereon being paid by the consignor when there is more than one consignee.</p>
	<p>(n) TAILGATE LOADING means loading of the shipment into or upon carrier's equipment from a point not more than 25 feet distant from said equipment.</p>
	<p>(o) TAILGATE UNLOADING means unloading of the shipment from carrier's equipment and placing it at a point not more than 25 feet distant from said equipment.</p>
	<p>(p) TEAM TRACK means a point at which property may be loaded into, or upon, or unloaded from rail cars by the public generally. It also includes wharves, docks and landings at which the public generally may receive and tender shipments of property from and to common carriers by vessel.</p>
	<p># (q) VEHICLE ICING means placing ice around or over the packages within carrier's equipment.</p>
	<p>* Change) Decision No. 42301 # Addition)</p>
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 88	

Cancels

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p>APPLICATION OF TARIFF - COMMODITIES</p> <p>Rates in this tariff apply to transportation of the following commodities (See Exception): Fruits, fresh or green; Vegetables, fresh or green, including Mushrooms, fresh; Containers, empty, second-hand, returning from an outbound paying load or forwarded for a return paying load, subject to Note 1.</p> <p>NOTE 1.- Highway carriers must determine before accepting shipment that said containers were moved filled and are being returned by the same carrier or carriers to consignor of the filled containers; or that containers shipped for return paying load will, when filled, move by the same carrier or carriers to the consignor of the original empty containers.</p> <p>EXCEPTION.- Rates in this tariff do not apply to transportation of: (a) 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, winery or processing plant; nor to the empty containers used or shipped out for use in connection with such transportation. (b) Citrus fruits when the point of destination of the shipment is within the Los Angeles Drayage Area, as referred to in Item No. 30 series; nor to the empty containers used or shipped out for use in connection with such transportation. (c) Sugar beets when the point of destination of the shipment is a beet sugar factory or a railroad loading dump.</p>
40-D Cancels 40-C	
50	<p>SHIPMENTS TO BE RATED SEPARATELY</p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated nor combined by the carrier. Component parts of split pickup or split delivery shipments, as defined in Item No. 11 series, may be combined under the provisions of Items Nos. 170 and 180 series.</p>
*60-A Cancels 60	<p>GROSS WEIGHT</p> <p>Charges shall be assessed on the gross weight of the shipment, including container icing, if any. No allowance shall be made for the weight of containers.</p>
65	<p>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. 42301	
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, San Francisco, California.	
Correction No. 89	

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First Revised Page 9

HIGHWAY CARRIERS' TARIFF NO. 8

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
70	<p data-bbox="536 365 1247 403">RATES BASED ON VARYING MINIMUM WEIGHTS</p> <p data-bbox="388 428 1462 655">When charges accruing on a shipment based upon actual weight exceed the charges computed upon a rate based upon a greater minimum weight, the latter shall apply. For the purpose of applying this item to a mixed shipment, 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>
*80-B Cancels 80-A	◊◊ Item Canceled. No provisions in effect.
	<p data-bbox="371 1789 1057 1890">* Change) ◊ Reduction) Decision No. 43301 ◊ Increase)</p>
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 90	

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First Revised Page 10

HIGHWAY CARRIERS' TARIFF NO. 8

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
*81-B Cancels 81-A	◊◊ Item Canceled. No provisions in effect.
	* Change) ◊ Reduction) Decision No. 43301 ◊ Increase)
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 91	

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
90	<p data-bbox="657 388 968 422" style="text-align: center;">PACKING REQUIREMENTS</p> <p data-bbox="320 440 1433 538">Articles may be accepted for transportation in any container or any shipping form, providing such container or shipping form will render the transportation of the freight reasonably safe and practicable.</p>
<p data-bbox="170 1419 289 1517">*100-B Cancels 100-A</p>	<p data-bbox="700 587 935 620" style="text-align: center;">MIXED SHIPMENTS</p> <p data-bbox="350 636 1260 669">1. Commodities for which rates are provided in this tariff:</p> <p data-bbox="396 698 1356 922">(a) When two or more commodities for which different rates are provided are shipped as a mixed shipment, without weights being furnished or obtained for the portions shipped under the separate rates, charges for the entire shipment will be computed at the rate applicable to the highest rated commodity contained in such mixed shipment, subject to Item No. 70 series.</p> <p data-bbox="396 942 1372 1262">(b) When two or more commodities are included in the same shipment and separate weights thereof are furnished or obtained, charges will be computed at the separate rates applicable to such commodities in straight shipments of the combined weight of the mixed shipment. The minimum weight shall be the highest provided for any of the rates used in computing the charges, subject to Item No. 70 series. In the event a lower charge results by considering such commodities as if they were divided into two or more separate shipments such lower charge shall apply.</p> <p data-bbox="320 1282 1404 1380">2. Commodities for which rates are provided herein moving in mixed shipments containing commodities for which rates are provided in other effective tariffs of the Commission:</p> <p data-bbox="396 1411 1356 1674">(a) When one or more commodities for which rates are provided herein are included in a shipment of one or more commodities for which rates are provided in other effective tariffs of the Commission without separate weights being furnished or obtained for the portions shipped under the separate tariffs, charges for the entire shipment will be computed at the rate applicable to the highest rated commodity contained in such mixed shipment, subject to Item No. 70 series.</p> <p data-bbox="396 1689 1323 2174">(b) When one or more commodities for which rates are provided herein are included in a shipment of one or more commodities for which rates are provided in other effective tariffs of the Commission and separate weights thereof are furnished or obtained, the charges will be computed at the separate rates applicable to such commodities in straight shipments of the combined weight of the mixed shipment. The minimum weight shall be the highest provided for any of the rates used in computing the charges, subject to Item No. 70 series. In the event a lower charge results by considering such commodities as if they were divided into two or more separate shipments such lower charge shall apply. If the latter basis is used, the highest minimum charge applicable to any commodity in the shipment shall apply to the entire shipment.</p>

3. Commodities for which rates are provided herein, moving in mixed shipments containing commodities upon which no minimum rates or charges have been established by the Commission:

When one or more commodities for which rates are provided in this tariff are included in a shipment of commodities for which no minimum rates have been established by the Commission, the rate or rates applicable to the entire shipment may be determined as though all of the commodities were ratable under the provisions of this tariff, subject to Item No. 70 series. (See Note.) In the event a lower charge results by considering such commodities as if they were divided into two or more separate shipments such lower charge shall apply.

NOTE.- The rate to be applied to the commodity for which no minimum rates have been established will be the rate applicable to the commodity with which it is mixed. In the event the commodity for which no minimum rates have been established is mixed with commodities taking different rates, the commodity for which no minimum rates have been established will be rated at the rates applicable to lowest rated commodity for which minimum rates have been established.

**

* Change, Decision No. 42301

** Provision for use of estimated or average weights eliminated.

EFFECTIVE NOVEMBER 20, 1949

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

Correction No. 92

Cancels

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)								
140-D Cancels 140-C	<p>APPLICATION OF RATES ON SHIPMENTS SUBJECT TO MINIMUM WEIGHTS IN EXCESS OF 10,000 POUNDS</p> <p>Rates in this tariff subject to minimum weights in excess of 10,000 pounds include loading into and unloading from the carrier's equipment at established depots. At points of origin or points of destination other than established depots, such rates, except those provided in Item No. 305 series, include service of driver only for loading into and unloading from the carrier's equipment, subject to Note 1.</p> <p>NOTE 1.-When the time consumed in performing loading, unloading or accessorial services exceeds 20 minutes per ton (based on the weight on which transportation charges are computed) a charge of \$2.78 per hour shall be assessed for the time consumed in excess of 20 minutes per ton.</p>								
150-D Cancels 150-C	<p>ACCESSORIAL CHARGES</p> <p>An additional charge of \$2.10 per man per hour, minimum charge \$1.05, shall be made for helpers for loading or unloading, 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.</p>								
*155-C Cancels 155-B	<p>REFRIGERATION - ICING</p> <p>Shipments of fruits, vegetables or mushrooms, as described in Item No. 40 series, subject to rates governed by minimum weight of 10,000 pounds or more, may be refrigerated by the shipper or his agent, or by the carrier at the request of the shipper or his agent, by means of vehicle icing, subject to the following conditions:</p> <p>(a) Transportation charges for the weight of the ice used shall be based on the rate from point of origin to point of destination applicable on the commodity shipped.</p> <p>(b) Ice shall be furnished by or at the expense of the shipper.</p> <p>(c) Weight of the ice may be used to make up the applicable minimum weight.</p> <p>(d) When movement of truck equipment from loading point to ice plant is involved the following additional charges shall apply:</p> <table> <tr> <th>Minimum Weight (In Pounds)</th><th>Additional Charge (Per Shipment)</th></tr> <tr> <td>10,000</td><td>\$1.97</td></tr> <tr> <td>18,000</td><td>3.94</td></tr> <tr> <td>24,000</td><td>5.91</td></tr> </table> <p>(e) When shipments are reiced in transit no additional transportation charges will be assessed for the weight of the added ice. The provisions of paragraph (b) and charges named in paragraph (d) of this item will also apply on reiced shipments.</p> <p>*Change, Decision No. 20001 Item No. 160-C formerly shown on Fifth Revised Page 14 transferred to Third Revised Page 15.</p>	Minimum Weight (In Pounds)	Additional Charge (Per Shipment)	10,000	\$1.97	18,000	3.94	24,000	5.91
Minimum Weight (In Pounds)	Additional Charge (Per Shipment)								
10,000	\$1.97								
18,000	3.94								
24,000	5.91								
EFFECTIVE NOVEMBER 20, 1949									
Issued by the Public Utilities Commission of the State of California, San Francisco, California.									
Correction No. 93									

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
	MINIMUM CHARGE	
	The minimum charge per shipment shall be as follows:	
	(a) When the constructive distance from point of origin to point of destination does not exceed 150 miles:	
	Weight of Shipment	Minimum Charge in Cents
*160-C	25 pounds or less-----	49
Cancels	Over 25 pounds but not over 50 pounds-----	62
160-B	Over 50 pounds but not over 75 pounds-----	75
	Over 75 pounds but not over 100 pounds-----	87
	Over 100 pounds-----	93
	(b) When the constructive distance exceeds 150 miles: The charge for 100 pounds at the commodity rate applicable thereto but not less than \$1.05.	
	SPLIT PICKUP	
	The charge for transportation of a split pickup shipment (as defined in Item No. 11 series) shall be the pickup and delivery charge (as defined in Item No. 10 series) applicable under rates in Section No. 2, or any combination of said rates, for transportation of a single shipment of like kind and quantity of property from point of origin of any component part to point of destination via the points of origin of all other component parts, plus the following additional charges:	
	Weight of Component Part (In Pounds)	Additional Charge For Each Component Part Picked Up (In Cents)
	Over But not over	
	0 100-----	36
170-B	100 500-----	49
Cancels	500 1,000-----	69
170-A	1,000 2,000-----	105
	2,000 4,000-----	140
	4,000 10,000-----	174
	10,000 20,000-----	209
	20,000 --- -----	278
	The provisions of this item shall not apply:	
	(1) if split delivery service is to be accorded;	
	(2) unless at the time of or prior to the first pickup a single bill of lading or other shipping document shall have been issued for the composite shipment and the carrier shall have been furnished with written instructions showing the name of each consignor, the points of origin and the kind of property in each component part.	
	In the event a lower aggregate charge results from treating one or more component parts as a separate shipment, said charge may be applied.	
	*Formerly shown on Fifth Revised Page 14.	
	EFFECTIVE NOVEMBER 20, 1949	
	Issued by the Public Utilities Commission of the State of California, San Francisco, California.	
	Correction No. 94	

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
250-A	<p style="text-align: center;">ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER RATES</p> <p>In the event under the provisions of Items Nos. 210 to 240 series, inclusive, a rate of a common carrier is used in constructing a rate for highway transportation, and such rate does not include accessorial services performed by highway carrier, the following charges for such accessorial services shall be added:</p> <ol style="list-style-type: none"> (1) For tailgate loading or tailgate unloading - no additional charge; (2) For loading or unloading other than tailgate loading or tailgate unloading - 2½ cents per 100 pounds; (3) For C.O.D. service - charges provided in Item No. 190 series; (4) For other accessorial services - charges provided in Item 150 series; (5) Split pickup or split delivery shall not be accorded unless included in the common carrier rate. (See Items Nos. 230 and 240 series for exceptions.)
*255-A Cancels 255	<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENT</p> <p>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:</p> <ol 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. (f) Weight of the shipment. (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>The form of shipping document in Item No. 510 series will be suitable and proper.</p> <p>A copy of each shipping document 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>
* Change, Decision No. 43301	
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, San Francisco, California Correction No. 95	

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First Revised Page 34

HIGHWAY CARRIERS' TARIFF NO. 8

SECTION NO. 3

*ESTIMATED WEIGHTS CANCELED.
Item No. 60 series will apply.

*Change, Decision No. 43301

EFFECTIVE NOVEMBER 20, 1949

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 96

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HIGHWAY CARRIERS' TARIFF NO. 8

Item No.	SECTION NO. 3 - ESTIMATED WEIGHTS AND CONTAINER DESCRIPTIONS
*400-B Cancels 400-A	◊◊ Item Canceled. No provisions in effect.
* Change) ◊ Reduction) Decision No. 43301 ◊ Increase)	
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 97	

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HIGHWAY CARRIERS' TARIFF NO. 8

Item No.	SECTION NO. 3 - ESTIMATED WEIGHTS AND CONTAINER DESCRIPTIONS
*401-E Cancels 401-D	o o Item canceled. No provisions in effect.
* Change) o Reduction) o Increase)	Decision No. 43301
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, Correction No. 98 San Francisco, California	

Item No.	SECTION NO. 3 - ESTIMATED WEIGHTS AND CONTAINER DESCRIPTIONS
*402-D Cancels 402-C	o o Item canceled. No provisions in effect.
* Change) o Reduction) o Increase)	Decision No. 43301
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 99	

Item No..	SECTION NO. 3 - ESTIMATED WEIGHTS AND CONTAINER DESCRIPTIONS
*403-B Cancels 403-A	o o Item canceled. No provisions in effect..
* Change) o Reduction) o Increase)	Decision No. 42301
EFFECTIVE NOVEMBER 20, 1949	
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HIGHWAY CARRIERS' TARIFF NO. 8

Item No.	SECTION NO. 3 - ESTIMATED WEIGHTS AND CONTAINER DESCRIPTIONS
*404-A Cancels 404	◊ ◊ Item canceled. No provisions in effect.
* Change) ◊ Reduction) ◊ Increase)	Decision No. 43301
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, Correction No. 101 San Francisco, California.	

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HIGHWAY CARRIERS' TARIFF NO. 8

Item No.	SECTION NO. 3 - ESTIMATED WEIGHTS AND CONTAINER DESCRIPTIONS
*410-A Cancels 410	◊ ◊ Item canceled. No provisions in effect.
* Change) ◊ Reduction) ◊ Increase)	Decision No. 43301
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 102	

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HIGHWAY CARRIERS' TARIFF NO. 8

Item No.	SECTION NO. 3 - ESTIMATED WEIGHTS AND CONTAINER DESCRIPTIONS
*411-A Cancels 411	◊◊ Item canceled. No provisions in effect.
* Change) ◊ Reduction) ◊ Increase)	Decision No. 43301
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 103	

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HIGHWAY CARRIERS' TARIFF NO. 8

Item No.	SECTION NO. 3 - ESTIMATED WEIGHTS AND CONTAINER DESCRIPTIONS
*412-A Cancels 412	o o Item canceled. No provisions in effect.
* Change) o Reduction) o Increase)	Decision No. 43301
EFFECTIVE NOVEMBER 20, 1949	
Issued by the Public Utilities Commission of the State of California, Correction No. 104	
San Francisco, California.	

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HIGHWAY CARRIERS' TARIFF NO. 8

SECTION NO. 5 - FORM OF SHIPPING DOCUMENT

* Item No. 510-A Cancels 510

SHIPPING ORDER AND FREIGHT BILL

Bill No. _____

Permit No. _____

Name of Carrier _____

(Carrier's name must agree with name on permit)

Point of Origin _____ Date _____, 19 _____

Shipper _____ Consignee _____

Street Address _____ Street Address _____

City _____ City _____

Packages	Kind	Description of Commodities	Weight	Rate	Charges

Shipper _____	Check here				
By _____ (Show name in full)	Origin		Destination		
	Terminal	Store	Terminal	Store	C.O.D.
		Door		Door	
Received by Carrier in good condition except as noted					C.O.D. Fee
By _____ Driver (show name in full)					Advances(1)
					Other Charges(1)
Received by Consignee in good condition except as noted					Prepaid
By _____ (Show name in full)					
					Total to Collect

(1) Explain what each charge represents.

END OF TARIFF

* Change, Decision No. 43301

EFFECTIVE NOVEMBER 20, 1949

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

Correction No. 105