

ORIGINAL

Decision No. 46027

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

SUPPLEMENTAL OPINION AND ORDER

In Decision No. 46022 entered today in this proceeding, we found that revised constructive mileages governing mileage rate determinations should be established. We also found that certain modifications in City Carriers' Tariff No. 8 - Highway Carriers' Tariff No. 10, naming minimum rates for the transportation of cement, were justified and that the tariff revisions should be established by a separate order. The tariff will be amended accordingly.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that City Carriers' Tariff No. 8 - Highway Carriers' Tariff No. 10 (Appendix "A" to Decision No. 44633) be and it is hereby amended by incorporating therein First Revised Page 4 cancels Original Page 4, First Revised Page 5 cancels Original Page 5 and First Revised Page 9 cancels Original Page 9, to become effective January 1, 1952.

IT IS HEREBY FURTHER ORDERED that tariff publications required or authorized to be made by common carriers as a result of the order herein may be made effective on not less than five (5) days' notice to the Commission and to the public.

IT IS HEREBY FURTHER ORDERED that common carriers be and they are hereby authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California, and Section 24(a) of the Public Utilities Act to the extent

SECTION NO. 1 - RULES AND REGULATIONS

Item
No.

DEFINITIONS

(a) CARRIER means a carrier, as defined in the City Carriers' Act (Chapter 312, Statutes of 1935, as amended), or a radial highway common carrier or a highway contract carrier, as defined in the Highway Carriers' Act (Chapter 223, Statutes of 1935, as amended).

(b) COMMISSION means the Public Utilities Commission of the State of California.

(c) COMMON CARRIER RATE means any intrastate rate or rates of any common carrier, or common carriers, as defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment; also any interstate rate of any common carrier railroad or railroads applying between points in California via an interstate or foreign route, lawfully in effect at time of shipment.

* (d) DISTANCE TABLE means Distance Table No. 4, amendments thereto, or reissues thereof.

(e) MOTOR VEHICLE means any motor truck, tractor or other self-propelled highway vehicle used for transportation of property over the public highways, and any trailer, semi-trailer, dolly or other vehicle drawn thereby.

(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, except that (1) all locations within a radius of 50 feet from a single point, and (2) all locations on the property of a single consignee within a radius of 300 feet from a single point will be considered as one point of destination.

(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 (1) all locations within a radius of 50 feet from a single point, and (2) all locations on the property of a single consignor within a radius of 300 feet from a single point 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.

(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 between the same points, and subject to the same limitations, conditions and privileges, but not necessarily in an identical type of equipment.

(k) SHIPMENT means a quantity of property tendered for transportation to one carrier at one time on one shipping document by: (See Note)

(1) one shipper at one point of origin for one consignee at one point of destination; or

(2) one shipper at one point of origin for one consignee at more than one point of destination, or for more than one consignee at one or more points of destination (split delivery).

NOTE:—The entire shipment need not be transported on one vehicle at one time.

(1) UNIT OF EQUIPMENT means one or more motor vehicles (as herein defined) physically connected so as to form a complete unit.

*10-A
Cancels
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* Change, Decision No. 45027

EFFECTIVE JANUARY 1, 1952

Issued by the Public Utilities Commission of the State of California,
Correction No. 1 San Francisco, California.

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.																										
<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates provided in this tariff are for the transportation of shipments from point of origin to point of destination, and include the services of the driver only for loading into and unloading from carrier's motor vehicle.</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> <p>When property in continuous through movement is transported by two or more such carriers, the rates (including minimum charges) provided herein shall be the minimum rates for the combined transportation.</p> <p>City carriers, radial highway common carriers, and highway contract carriers may deviate from the minimum rates named in this tariff in connection with the transportation of property for the armed forces of the United States.</p>	30																										
<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES</p> <p>Rates in this tariff apply for the transportation of Cement, hydraulic, masonry, natural or Portland, in bulk or in packages.</p> <p>Rates in this tariff apply also to the following commodities when shipped in mixed shipments with cement in packages and when the shipments originate in Northern Territory as defined in Item No. 80 series:</p> <p style="margin-left: 40px;">Lime, common, including magnesium lime, hydrated or hydraulic, quick or slaked, in packages; Cement flue dust, in packages; and/or Limestone, powdered, in packages.</p>	40																										
<p style="text-align: center;">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates named herein shall be the shortest resulting mileage via any public highway route computed in accordance with the method provided in the Distance Table.</p>	*50-A Cancels 50																										
<p style="text-align: center;">COMPUTATION OF CHARGES - WEIGHTS</p> <p>Except as herein provided, charges shall be assessed on the gross weight of the shipment. On shipments packed in cloth or 4, 5, or 6 ply paper bags or sacks the following applies:</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Commodity</th> <th style="text-align: center;">When the Packed Net Weight per Package is</th> <th style="text-align: center;">Charges Will be Assessed on Gross Weight per Package of</th> <th></th> </tr> </thead> <tbody> <tr> <td>Cement, hydraulic, natural or Portland-----</td> <td style="text-align: center;">94 pounds</td> <td style="text-align: center;">95 pounds</td> <td rowspan="7" style="text-align: center; vertical-align: middle;">60</td> </tr> <tr> <td>Cement, masonry or mortar-----</td> <td style="text-align: center;">70 pounds</td> <td style="text-align: center;">71 pounds</td> </tr> <tr> <td>Cement flue dust-----</td> <td style="text-align: center;">84 pounds</td> <td style="text-align: center;">85 pounds</td> </tr> <tr> <td>Lime-----</td> <td style="text-align: center;">50 pounds</td> <td style="text-align: center;">50½ pounds</td> </tr> <tr> <td>Lime-----</td> <td style="text-align: center;">60 pounds</td> <td style="text-align: center;">60½ pounds</td> </tr> <tr> <td>Lime-----</td> <td style="text-align: center;">100 pounds</td> <td style="text-align: center;">101 pounds</td> </tr> <tr> <td>Limestone, powdered-----</td> <td style="text-align: center;">100 pounds</td> <td style="text-align: center;">101 pounds</td> </tr> </tbody> </table>	Commodity	When the Packed Net Weight per Package is	Charges Will be Assessed on Gross Weight per Package of		Cement, hydraulic, natural or Portland-----	94 pounds	95 pounds	60	Cement, masonry or mortar-----	70 pounds	71 pounds	Cement flue dust-----	84 pounds	85 pounds	Lime-----	50 pounds	50½ pounds	Lime-----	60 pounds	60½ pounds	Lime-----	100 pounds	101 pounds	Limestone, powdered-----	100 pounds	101 pounds	
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<p>*Change, Decision No. <u>46027</u></p>																											
<p>EFFECTIVE JANUARY 1, 1952</p>																											
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 2</p>																											

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>Common carrier rates, except rates of coastwise common carriers by vessel, 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. (See Notes 1 and 2.)</p> <p>NOTE 1.—When a rail carload rate is subject to varying minimum weights, dependent upon the size of the car ordered or used, the lowest minimum weight obtainable under such minimum weight provisions may be used in applying the basis provided in this item.</p> <p>NOTE 2.—Common carrier rates may be applied for the transportation of bulk cement only when bulk cement facilities for loading and unloading motor vehicles are available at the points to which and from which the common carrier rates apply.</p>	150
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES</p> <p>When lower aggregate charges result, rates provided in this tariff may be used in combination with common carrier rates, except rates of coastwise common carriers by vessel, for the same transportation as follows:</p> <p>(a) When point of origin is located beyond railhead and point of destination is located at railhead, add to the common carrier rate applying from any railhead to point of destination the rate provided in this tariff for the distance from point of origin to the railhead from which the common carrier rate applies. (See Notes 1, 2 and 3.)</p> <p>(b) When point of origin is located at railhead and point of destination is located beyond railhead, add to the common carrier rate applying from point of origin to any railhead the rate provided in this tariff for the distance from the railhead to which the common carrier rate used applies to point of destination. (See Notes 1, 2 and 3.)</p> <p>(c) When both point of origin and point of destination are located beyond railhead, add to the common carrier rate applying between any railheads the rate provided in this tariff for the distance from point of origin to railhead from which the common carrier rate used applies, plus the rate provided in this tariff for the distance from the railhead to which the common carrier rate used applies to point of destination. (See Notes 1, 2 and 3.)</p> <p>NOTE 1.—If the route from point of origin to the railhead, or from the railhead to point of destination, is within the corporate limits of a single incorporated city, the rates provided in this tariff for transportation for distances of 3 miles or less shall apply from point of origin to the railhead or from the railhead to point of destination as the case may be.</p> <p>*EXCEPTION.—If the route is between Los Angeles zones as described in the Distance Table, the provisions of this Note do not apply.</p> <p>NOTE 2.—When a rail carload rate is subject to varying minimum weights, dependent upon the size of the car ordered or used, the lowest minimum weight obtainable under such minimum weight provisions may be used in applying the basis provided in this item.</p> <p>NOTE 3.—Common carrier rates may be applied for the transportation of bulk cement in combination with rates provided in this tariff only when bulk cement facilities for loading and unloading motor vehicles are available at the points to which and from which the common carrier rates apply.</p>	160-A Cancels 160
* Change, Decision No. 46027	
EFFECTIVE JANUARY 1, 1952	
<p style="text-align: center;">Issued by the Public Utilities Commission of the State of California, Correction No. 3 San Francisco, California.</p>	

necessary to adjust long and short haul departures now maintained under outstanding authorizations and to depart from the provisions of Tariff Circular No. 2 and General Order No. 80 requiring that all tariff changes be indicated by designated symbols in distance table and tariff filings made pursuant to the order herein.

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

Dated at San Francisco, California, this 31st day of July, 1951.

R. F. Anderson
Forster J. Crauer
Harold P. Kula
Harold W. Patton
John L. Maxwell
Commissioners