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Decision No. 46062

ORIGINAL

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 D. Poe, for Notor Truck Association of Southern California.
- Scott Elder, for Retail Furniture Association of Southern California, Retail Traffic Conference, Western Traffic Conference, Retail Furniture Association of Northern California, Furniture Retailers Association of Southern California, Furniture Retailers Association of Long Beach, Furniture Manufacturers Association, Home Furnishings Institute of San Diego County, Barker Brothers, and McMahons Furniture Company, interested parties.
- F. F. Morgan, for Furniture Manufacturers Association of Southern California, interested party.
- W. G. O'Barr, for Los Angeles Chamber of Commerce, interested party.
- Q. W. Bernhard, W. M. Cheatham, E. A. Dagenais, Harry W. Dimond, Milton Hallen, Arthur J. Hansel, L. P. Harmon, Robert Hopping, Lawrence E. Osborne, Omar E. Pullen, A. L. Russell, Robert M. Wilson, and J. M. Zeyen, for various shippers and organizations, interested parties.
 - James F. Bartholomew, Preston W. Davis, R. C. Fels, Warren V. Glass, Alfred B. Jobes, Jackson W. Kendall, H. P. Merry, Melvin H. Pixley, and J. B. Robinson, for various highway carriers, respondents.

SUPPLEMENTAL OPINION

The Motor Truck Association of Southern California, by petition in this proceeding, seeks establishment of revised minimum rates for the transportation of uncrated new furniture by highway common carriers, radial highway common carriers, and highway contract carriers.

Various exceptions to the foregoing conclusions and recommendations were filed by the parties. The Motor Truck Association objected particularly to the levels of the rates recommended by the examiner. This association declared that the recommended rates are deficient by at least 10 per cent when measured by the cost evidence, and it asked for a further hearing in order to show the effect of cost increases which have occurred since the taking of evidence was concluded.

On the other hand, the shipper associations and the Los Angeles Chamber of Commerce objected to the establishment of minimum rates at all. It is their position that the evidence does not show the prevalence of any destructive rate competition between carriers, and that the record is deficient for the purpose of fixing minimum rates in that there is no separation of the cost data between common and contract carriers. These parties also take exception to the recommended rate levels, and declare that if rates are to be established they should not be on "any level higher than the lowest rates now in effect." They aver that the cost evidence is unsatisfactory as a basis for fixing minimum rates for the further reason that it was developed upon the basis of one-way loads without "back-haul". Subordinate exceptions to particular phases of the examiner's report will be referred to after the primary questions have been resolved.

For convenience the Motor Truck Association of Southern California will be sometimes referred to herein as the "Motor Truck Association"; and the Furniture Manufacturers' Association, Retail Furniture Association of California, Furniture Retailers' Association of Southern California, Retail Traffic Conference and Western Traffic Conference, whose members are either shippers or consignees, will be referred to herein collectively as "the shipper associations."

The closing hearing was held on August 7, 1950. Exceptions to the examiner's report were filed on or before December 21, 1950, and replies were filed on January 5, 1951.

The parties are at odds on the question whether destructive rate competition threatens the welfare and existence of the carriers. Evidence on the question, the examiner said, is conflicting. Whether or not there is a prevalence of destructive rate competition, the record establishes clearly that the present rate situation is not conducive to a healthy and stabilized transportation system. The average operating ratio for a group of the principal carriers exceeded 110 per cent according to the latest available revenues and expenses of record. Both the forms and levels of the rates being assessed by different carriers for similar service vary widely. In some instances the rates of one carrier are virtually double those of another for comparable transportation. Under all of these circumstances compliance with legislative policy contemplates that the Commission establish just, reasonable and nondiscriminatory minimum rates in order that adequate and dependable service by all necessary transportation agencies may be maintained. The legislative policy to stabilize transportation rates is clearly expressed in the Highway Carriers' Act and elsewhere. (See Decision No. 44510 of July 11, 1950, 49 Cal. P.U.C. 789).

Some of the exceptors offer the objection, however, that regardless of the need for minimum rates, such rates cannot be established upon basis of the available evidence because separate cost data have not been developed for highway common carriers on the one hand and highway contract carriers on the other. This exception is founded upon the premise that separate costs are

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required by Section 32(d) of the Public Utilities Act, the pertinent portion of which reads as follows:

"In any rate proceeding where more than one type or class of carrier, as defined in this act or in the Highway Carriers' Act, is involved, the commission shall consider all such types or classes of carriers, and, pursuant to the provisions of this act or the Highway Carriers' Act, fix as minimum rates applicable to all such types or classes of carriers the lowest of the lawful rates so determined for any such type or class of carrier."

Without considering the preliminary question whether highway common and highway contract carriers constitute separate "types or classes", the exceptors assume, apparently, that the quoted provision requires that the Commission adduce or receive cost data separately for each type or class of carrier, develop therefrom the lawful rates for each such type or class, and then fix the lowest of such rates as minimum for all. This assumption reads into the statute a restrictiveness which is not found in its explicit terms, and implies moreover that costs are the controlling or sole factor in rate making. The statute, it will be noted, makes no specific reference to costs. As recognized by the examiner in his report, the cost of performing the service is but one of the factors to be considered in establishing minimum rates. Regardless of the extent to which cost date are or are not segregated, if the evidence is sufficient to enable the Commission properly to consider the several types or classes of carriers and to determine "the lowest of the lawful rates" for any of the affected types or classes, the requirements of the statute will be satisfied.

The evidence in the instant proceeding meets the statutory requirements. It includes, among other things, information concerning the operating practices and costs of all affected

⁴ See Highway Carriers' Act, Section 10; 2150 Decision No. 31606, (41 O.R.C. 671).

classes of carriers; separate financial statements for various carriers of each class; and estimates of the cost of performing the service by such carriers. Relatively few carriers are regularly engaged in the services herein involved. The staff engineer testified that it was his opinion, based upon investigation, that there is no material difference in the transportation costs incurred by carriers of the different classes. Segregation of the cost estimates according to common or contract carriage, which the exceptors assert to be essential, is a refinement not required in this proceeding for the purpose of determining "the lowest of the lawful rates" for any of the affected classes. The motion of record filed by the shipper associations, joined by the Los Angeles Chamber of Commerce, "for a further study and report by the Commission's engineering staff for the purpose of developing the differences in the cost of transporting new uncrated furniture by highway common carriers and the cost of such transportation by highway contract carriers" will be denied.

It having been determined that minimum rates should be established, and that the absence of segregated cost data does not preclude our doing so, the questions turn to the form and level of the minimum rates and the nature of the governing rules and regulations. The shipper associations took exception to the examiner's recommendation that rates be established in the form of cents per 100 pounds and urged that, instead, "further study should be made to arrive at a form for stating minimum rates which will preserve the advantages of the present piece basis and will bear a more logical relation to the cost of transportation than rates based on weight." The examiner, in his report, pointed out practical difficulties with and objections to the "piece" form of rates, and explained that

none of the parties had undertaken to meet the problems inherent in that form nor to determine the cost of transportation on other than a weight basis. To withhold minimum rates pending "further study to arrive at a form" would be to delay for some indefinite period the rate stabilization which has been found to be necessary. On the present record the minimum rates should be stated in the form of cents per 100 pounds, and that form will be followed.

All of the objections made by the various parties to the rate levels recommended by the examiner may be summarized under two principal categories: First, the shipper associations and the Los Angeles Chamber of Commerce termed the rates excessive because the supporting cost studies were based upon one-way hauls and were not segregated between common and contract carriage; and second, the Motor Truck Association termed the rates deficient "when measured by the cost evidence of record" and asked for further hearing to show the extent that costs have increased since the record was made These objections, it will be noted, rest in this proceeding. primarily upon asserted defects in the cost exhibits, or, contrariwise, upon the examiner's declination to adhere to the costs in the development of his recommended rates. Upon either ground it appears that the parties would exaggerate the part to be played by cost estimates in the establishment of minimum rates. Satisfactory rates are not to be developed by mathematical projection from any cost formula. In the present proceeding the cost exhibits may be checked and balanced against two detailed rate proposals, against information concerning "going"rates, against various suggestions

⁵ Objections of the Los Angeles Chamber of Commerce to certain of the rate relationships, and of other parties to specific aspects of the rates, will be discussed hereinafter. The instant discussion relates only to the rate levels in general.

and proposals made by carriers, shippers, and shipper representatives, and particularly against the actual and adjusted revenues and exponses experienced by a number of carriers specializing in the services herein involved. In final analysis the determination of reasonable levels of minimum rates for highway carriers necessarily requires substantial reliance upon judgment. Setting aside for the moment the question of possibly changed circumstances since the hearings were concluded in August, 1950, we find from careful analysis of the evidence that, upon the present record, rates substantially as recommended by the examiner will be just and reasonable as minimum.

The Notor Truck Association asserted, however, that the establishment of minimum rates without consideration of recently advancing costs would result in inadequate and ineffective minimum rates. The shipper associations responded that suitable rates can best be achieved by separate actions of individual carriers, without the necessity of further hearings for the establishment of "blanket going rates for all carriers". It is our conclusion, for reasons hereinbefore stated, that minimum rates specifically designed for the traffic herein involved should be prescribed without unnecessary delay. To this end such rates should be established upon the evidence now available. This procedure will not foreclose the Motor Truck Association or any other interested party from offering evidence at a future hearing in this continuing proceeding to show the necessity for rate adjustments. In the present circumstances, where the transportation service is one for which, practically speaking, there have been no minimum rates in the past, it is to be expected in any event that the necessity for some revisions may be indicated after a period of experience under the new rates.

Subordinate exceptions relating to particular aspects of the rates and rules remain to be considered. Objections offered by the Los Angeles Chamber of Commerce to the proposed rate relationships were: (a) that effect should be given to certain cost differences by providing higher rates from the San Francisco area than from the Ios Angeles area; and (b) that point-to-point rates between Los Angeles Territory and San Francisco Territory should be the same as for distances between 280 and 300 miles in accordance with "the mileage-reduction formula" observed in Highway Carriers' Tariff No. 2. The first objection apparently contemplates a close adherence to the cost estimates which, as we have hereinbefore indicated, is not The second exception presupposes that point-to-point warranted. rates in Highway Carriers' Tariff No. 2 follow a mileage-reduction formula, and that the formula is suitable for the traffic herein involved. The fact is, however, that the point-to-point class rates in Highway Carriers' Tariff No. 2 were based not upon a "mileagereduction formula", but upon numerous factors applicable perticularly to general commodities. The record in the instant investigation discloses few similar or comparable circumstances in the transportation of uncrated new furniture. Much of the information underlying the distance rates hereinafter prescribed was necessarily derived from movements between the Los Angeles and San Francisco territories, and no reason appears on this record why there should be any substantiel difference between the point-to-point rates between the two territories and the distance rates prescribed for comparable mileages.

See Decision No. 31606 dated December 27, 1938, in Case No. 4246, 41 C.R.C. 671, at page 669 et seq.

The examiner proposed additional charges to be added to the basic rates when shipments are picked up at a point (other than the carrier's depot) within Los Angeles Territory. The Motor Truck Association objected because the additional charges would not likewise be applied on shipments picked up at a point within San Francisco Territory; and Safe Transportation Company made similar objection concerning shipments picked up within and transported beyond certain San Francisco Bay cities. The exceptors argued that the added pickup charges are justified and necessitated by cost considerations. The record indicates that there is little occasion for pickup service except in the Los Angeles Territory. Nevertheless, there is some performance of such service in the San Francisco area and perhaps elsewhere. To confine the added charges to shipments originating in Los Angeles Territory as proposed by the examiner, or to those originating in the Los Angeles or San Francisco territories as proposed by the Motor Truck Association and Safe Transportation Company, would result in a form of prejudice against shippers located in those territories and preference to shippers located elsewhere. On the present record such discriminetions do not appear to be warranted. The pickup charges will be prescribed for application uniformly throughout the state.

The shipper associations propose in their exceptions that provision be made for the carriers to accumulate and consolidate shipments received at their depots from several consignors for transportation to a single consignee. The record shows that it is the common practice of the carriers to hold shipments at their depots until they have accumulated truckload quantities. If the carriers were to act as agents of the shippers or consignees for the purpose of consolidating various shipments separately received from

different consignors over varying periods of time they would thereby both increase their expenses and reduce their revenues. Such a plan would presumably require that the needed revenues be obtained through special charges or higher rates for general application, or both. It is readily apparent also that the suggested plan would open the door to many abuses. The evidence does not offer any valid basis for the adoption of this proposal.

In their exceptions the shipper associations urged that lower rates be established for a minimum weight of 6000 pounds. The record shows that there are few shipments of uncrated new furniture between points in this state weighing as much as 6000 pounds, and that the unit cost difference between shipments of 7 2000 pounds and 6000 pounds is negligible. Carrier witnesses and the Commission engineer testified that there is no measurable difference, in cost per 100 pounds, in transporting the larger shipments. In view of the evidence, no reason appears for providing an additional weight bracket.

The shipper associations took exception to per-shipment minimum charges proposed by the examiner on shipments weighing 50 pounds and under. They declared that the recommended charges are exception for the examiner's deviation from minimum charges recommended by the rate witnesses. Minimum charges proposed by the examiner reasonably reflect the estimated costs of handling the ambiguities and difficulties of application which are apparent in the rules suggested by the rate witnesses. The minimum charge rule as proposed by the examiner appears to be reasonable and will be adopted.

Of 4316 shipments studied by the Commission engineer, only eleven weighed 5000 pounds or more.

The examiner recommended that the proposed minimum rates not apply to shipments transported from or returned to retail stores where the length of haul does not exceed 35 constructive miles. The shipper associations and United Parcel Service of Los Angeles, Inc. took exception to the distance limitation, asserting that the rates should not apply to retail deliveries in any case. They argued that the record is devoid of evidence which would support the establishment of rates for such service. The evidence includes some references to retail deliveries, but lacks the substantial character necessary to justify the examiner's finding that minimum rates therefor should be established on this record. It appears that the exceptors are correct in their assertions that transportation conditions affecting deliveries from retail stores are materially different from those under consideration in this investigation. The order herein will not establish rates for transportation from retail stores or retail store warehouses where the property has been sold at retail by a retail merchant, or transported from retail customers to retail stores or retail store warehouses.

It is clear from the record that the specialized nature of the service of transporting uncrated new furniture and related articles requires rates different from the existing minimum class rates applicable to such commodities. The minimum rates are substantially below the costs experienced by carriers specializing in this transportation, and are without practical effect in so far as the movement of this traffic is concerned. Conformity with the legislative policy to stabilize transportation rates requires that appropriate minimum rates be established at the earliest practicable date in order that adequate and dependable service may be maintained.

APPENDIX "A"

OF

DECISION NO. 46062

In Case No. 4808

Issued by

the

PUBLIC UTILITIES COMMISSION

OF THE

STATE OF CALLFORNIA

Consisting of Highway Carriers' Tariff No. 11, naming minimum rates, rules and regulations for the transportation of uncrated new furniture between points within California

by

Radial Highway Common Carriers.

and

Highway Contract Carriers

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

HIGHWAY CARRIERS' TARIFF NO. 11

NAMING

MINIMUM RATES, RULES AND REGULATIONS

FOR THE

TRANSPORTATION OF UNCRATED NEW FURNITURE

OVER

THE PUBLIC HIGHWAYS WITHIN THE

STATE OF CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS

VWD

HIGHWAY CONTRACT CARRIERS

The original tariff contains rates, pules, and regulations established in Decision No. Case No. 4808. Changes will be made by issuing revised or added pages or by issuing supplements.

EFFECTIVE SEPTEMBER 21, 1951

Issued by the Public utilities commission of the State of California State Building, Civic Center San Francisco 2, 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				
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Issued by the Public Utilities Commission of the State of California San Francisco, California

ARRANGEMENT OF TARIFF

This is a loose-leaf tariff arranged as follows:

SECTION NO. 1 - Rules and Regulations

SECTION NO. 2 - Territorial Descriptions

SECTION NO. 3 - Rates

SECTION NO. 4 - Routing

SECTION NO. 5 - Form of Shipping Document

TABLE OF CONTENTS	Item Number (series) Except as shown
Correction Number Checking Sheet	Page 1
Form of Shipping Document	400
Rates	300-310
Routing	350
Rules and Regulations:	
Accessorial Services Alternative Application of Common Carrier Rates Application of Rates Application of Tariff — Carriers Application of Tariff — Commodities Application of Tariff — Territorial Charges for Accessorial Services or Delays Collection of Charges Collect on Delivery Shipments Computation of Distances Definition of Technical Terms Delays to Equipment Gross Weight Minimum Charge Mixed Shipments Rates Based on Varying Minimum Weights Returned Shipments Shipping Document Requirements Shipping Document Requirements Shipments to be Rated Separately Shipments Transported by Two or Moro Carriers Units of Measurement	60 120 50 20 40 30 80 210 200 140 70 150 90 160 190 110 100 170
Territorial Descriptions	250

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

HICHMAY CARRIERS' TARIFF NO. 11

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SECTION NO. 1

RULES AND REGULATIONS

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Issued by the Fublic Utilities Commission of the State of California San Francisco, California

Issued by the Public Utilities Commission of the State of California,

San Francisco, California.

SECTION NO. 1 - RULES AND RECULATIONS (Continued)	Item No.
APPLICATION OF TARIFF - CARRIERS Rates provided in this tariff are minimum rates established pursuant to the Highway Carriers' Act. They apply for the transportation of uncrated new furniture by carriers as defined herein.	20
APPLICATION OF TARIFF - TERRITORIAL Rates in this tariff apply to transportation of shipments between all points within the State of California, except transportation: (1) Within incorporated cities; (2) Within or between zones described in the following Commission tariffs, amendments thereto or reissues thereof: (a) City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A (b) City Carriers' Tariff No. 4 - Highway Carriers' Tariff No. 5 (c) City Carriers' Tariff No. 7 - Highway Carriers' Tariff No. 9	30
APPLICATION OF TARIFF - COMMODITIES Rates in this tariff apply to the transportation of uncrated new furniture except when transported: (1) From retail stores or retail store warehouses where the property has been sold at retail by a retail merchant, or transported from retail customers to retail stores or retail store warehouses. (2) For the United States, state, county or municipal governments. The transportation of such property excluded from the provisions of this tariff by this exemption shall not be subject to the rates provided in Highway Carriers' Tariff No. 2, amendments thereto or reissues thereof.	40

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

SECTION NO. 1 - RULES AND REG	ULATIONS (Continuod)	Item No-
APPLICATION OF	RATES	
Rates provided in this tariff are for ments from point of origin to point of des loading into and unloading from carrier's to Note 1.	tination, and include	:
Note 1. When shipment is picked up a depot, an additional charge shall be assessed for such p	as sot forth below	50
For Shipmonts Subject To	Rate in Cents per 100 rounds	
Any Quantity or minimum weight 100 pound Minimum weight 500 pounds Minimum weight 2000 pounds Minimum weight 6000 pounds	ls 95 80 75 No Chargo	•
ACCESSORIAL SER		
When carrier performs any accessorial is not authorized to be performed under reand for which a charge is not otherwise probable be assessed as provided in Item No. therein provided for unit of equipment sha sorial or incidental service requires its equipment is inactivated by reason of its engaged in such service.	ates named in this tariff, covided, additional charges 80 series. The charge all apply whenever the acces- use, or whenever the unit of	60
DELAYS TO EQUIP	MENT	
When any action or inaction of consig delay to carrier's equipment at or in vici leading or point of unleading in excess of time actually involved in leading or unlea for delay time in excess of 30 minutes sha in Item No. 80 series,	nity of either point of 30 minutes (exclusive of ding) additional charges	70
CHARGES FOR ACCESSORIAL SE	TRVICES OR DELAYS	! !
For accessorial services or delays win Items Nos. 60 and 70 series, charges sh	ndor the conditions specified	
For accessorial services or delays w	ndor the conditions specified	80
For accessorial services or delays win Items Nos. 60 and 70 series, charges sh	charges in Conts For First Additional	80

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

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item
NA TIOTE OUT OUT	
MINIMUL CHARGE	1 1
(a) When the constructive distance from point of origin to point of destination does not exceed 150 miles:	
For shipments weighing:	
But Minimum Charge Over Not Over Shall Be	
0 75 lbs. \$\psi_1.50	
75 lbs. The charge for 100 lbs. at the applicable rate, but not less than	90
(b) When the constructive distance from point of origin to point of destination exceeds 150 miles:	
For shipments weighing:	
Sut Minimum Charge Over Not Over Shall Be	
0 75 lbs. \$2.00	·
75 lbs. The charge for 100 lbs. at the applicable rate.	
SHIPMENTS TRANSPORTED BY TWO OR MORE CARRIERS when shipments in continuous through movement are transported by two or more carriers, the rates (including minimum charges) provided herein from point of origin to point of destination shall be the minimum rates for the combined transportation.	100
SHIPMENTS TO BE RATED SEPARATELY	
Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the carrier.	110
ALTERNATIVE APPLICATION OF COMMON CARRIER RATES	
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 and for the same accessorial services, than results from the application of the rates herein provided.	120
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
MIXED SHIPMENTS When one or more commodities for which rates are not provided in this tariff are included in a shipment of commodities for which rates are herein provided, 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, or the commodities for which rates are provided in this tariff may be transported at applicable rates provided herein, and the commodities for which rates are not provided herein, at the rates provided in other Commission tariffs. In either case the combined weight of the shipment may be used to determine the minimum charge.	130
COLPUTATION OF DISTANCES	
Distances to be used in connection with rates provided in this tariff shall be the shortest constructive mileage provided in the Distance Table.	140
GROSS WEIGHT	
Charges shall be assessed on the gross weight of the snipment. Such weight shall not include the weight of pads, blankets, dollies, hand trucks, or other carrier equipment.	150
RATES BASED ON VARYING MINIMUM WEIGHTS	
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.	160
Units of Measurment in quotation of rates and charges	
Rates or 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.	170
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Issued by the rublic Utilities Commission of the State of Cali. San Francisco, Cali.	

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
Articles refused by consignee at time of delivery may be returned to original shippers and to original point of shipment by the same carrier performing the original outbound movement, at one-half of the outbound rate (applicable to quantity returned) current at time of return movement.	180
A shipping document shall be issued by the carrier to the shipper for each shippent received for transportation. The shipping document shall show the following information: (a) Date shipping document issued. (b) Name of carrier. (c) Name of shipper. (d) Name of consignee. (e) Point of origin. (f) Foint of destination (g) Description of the shipment. (h) Weight of the shipment. (i) Rate and charge assessed. (j) Signature of carrier or his agent. (k) Such other information as may be necessary to an accurate determination of the applicable minimum rate and charge. The form of shipping document in Section No. 5 will be suitable and proper. 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 issue.	. 190
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issued by the Public Utilities Commission of the State of California
San Francisco, California

SECTION NO. 1 --- RULES AND REGULATIONS (Continued)

Item No.

200

COLLECT ON DELIVERY SHIPMENTS

- (a) No carrier shall handle any C.O.D. shipment unless and until it has on file with the Commission a good and sufficient bond in such form as the Commission may deem proper, in a sum of not less than Two Thousand Dollars (32,000).
- (b) The bond required by paragraph (a) hereof, shall be filed by the carrier as principal and by some solvent surety company, authorized to do business in the State, of California, as surety, payable to the State of California, and/or/person or persons to whom any amount may be due on any C.O.D. shipment transported by said corrier and not remitted to the person or persons to whom it is due within ten (10) days after delivery of any such shipmont; however, when the carrier has filed with any municipality or board thereof, pursuant to ordinance, a bond in a sum not less than Two Thousand Dollars (.2,000) payable to said board or municipality and/or any person or persons to whom any amount way be due on any C.O.D. shipment bransported by said carrier and not remitted to the person or persons to whom it is due within ten (10) days after delivery of any such shipment, the filing by such carrier of a certified copy of said bond with this Commission shall be deemed compliance herewith. Each bond filed pursuant to the foregoing shall specify the extent to which the carrier's operations are covered thereby and may cover more than one operative authority held by the same carrier. When a carrier with such a bond or bonds on file with the Commission obtains additional operative authority, said bond or bonds shall be revised or reissued to show whether or not the additional operative authority is covered thereby. No C.O.D. bond shall be cancelled on less than thirty (30) days' notice to the Commission.
- (c) In the handling of C.O.D. shipments carrier shall, promptly upon collection of any and all C.O.D. moneys, and in no event later than ten (10) days after delivery to consignee, unless consignor instructs otherwise in writing, remit to consignor all C.O.D. moneys collected by it on such shipments.

(d) The charges for collecting and remitting the amount of C.O.D. bills collected on C.O.D. shipments shall be as follows:

 	Charge for collecting and		Charge for and
Then the amount	remitting	When the amount	remitting
collected is	vdll bc	collected is	vall be
Not		Not	
Over Over		Over Over	_
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2.50 4.00	.27	250.00 300.00	1.53
5.00 10.00	- 37	300.00 350.00	1.72
10.00 20.00	-F0	. 350.00 400.00	1.93
20.00 25.00	.43	400.00 450.00	2.13
25.00 120.00	.49 .53	1,50.00 500.00	2.33
40.00 50.00	.53	500.00 550.00	2.53
50.00 60.00	.66	550.00 600.00	2.72
60.00 30.00	٠ دي.	600.00 650.00	2.92
80.00 100.00	•72	650.00 700.00	3.12
100.00 102.50	-92	700.00 750.00	3.33
102.50 105.00	.93	750.00 800.00	3.53
105.00 110.00	•97	850.00 850.00	3.72
110.00 120.00	1.00	850.00 9 0 0.00	5.92
120.00 11:0.00	1.02	900.00 950.00	1.12
140.00 150.00	1.06	950.00 1,000.00	14.32
150.00 150.00	1.13	1,000.00	-
150.00 180.00	1.15	at rate of U.32 per	S1.000
180.00 200.00	1.19	are made on the bear	1
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Issued by the Public Utilities Commission of the State of California

SECTION NO. 1 - RULES AND REGULATIONS (Continued)

Item No.

210

COLLECTION OF CHARGES

- (a) Except as otherwise provided in this rule, transportation and accessorial charges shall be collected by the carriers prior to relimquishing physical possession of shipments entrusted to them for transportation.
- (b) Upon taking precautions deemed by them to be sufficient to assure payment of charges within the credit period herein specified, carriers may relinquish possession of freight in advance of the payment of the charges thereon and may extend credit in the amount of such charges to those who undertake to pay them, such persons herein being called debtors, for a period not to exceed 7 days, excluding Sundays and legal holidays other than Saturday half-holidays. When the freight bill covering a shipment is presented to the debtor on or before the date of delivery, the credit period shall rum from the first 12 o'clock midnight following delivery of the freight. When the freight bill is not presented to the shipper on or before the date of delivery, the credit period shall rum from the first 12 o'clock midnight following the presentation of the freight bill.
- (c) Where the carrier has relinquished possession of freight and collected the amount of charges represented in a freight bill presented by it as the total amount of such charges, and another freight bill for additional charges is thereafter presented to the debter, the carrier may extend credit in the amount of such additional charges for a period of 30 calendar days to be computed from the first 12 o'clock midnight following the presentation of the subsequently presented freight bill.
- (d) Froight bills for all transportation and accessorial charges shall be presented to the debtors within 7 calendar days from the first 12 o'clock midnight following delivery of the freight.
- (c) Dobtors may clock to have their freight bills presented by means of the United States mail, and when the mail service is so used the time of mailing by the cerrier, as evidenced by the postmark, shall be deemed to be the time of presentation of the freight bills.
- (f) The mailing by the debter of valid checks, drafts, or money orders, which are satisfactory to the carrier, in payment of freight charges within the credit period allowed such debter may be deemed to be the collection of the charges within the credit period for the purpose of these rules. In case of dispute as to the time of mailing, the postmark shall be accepted as showing such time.

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San Francisco, California

HIGHMAN CARRIED

SECTION NO. 2 - TERRITORIAL DESCRIPTIONS

Item

LOS ANGULES TERRITORY includes that area embraced by the following boundary: Beginning at the intersection of Sunset Boulevard and U.S. Highway No. 101, Alternate; thence northeasterly along Sunset Roulevard to State Highway No. 7; northerly along State Highway No. 7 to State Highway No. 118; northeasterly along State Highway No. 118 through and including the City of San Fernando; continuing northeasterly and southeasterly along State Highway No. 118 to and including the City of Pasadena; easterly along U.S. Highway No. 66 to State Highway No. 19; southerly along State Highway No. 19 to its intersection with U.S. Highway No. 101, Alternate, at Kimeno Street; southerly along Kimeno Street and its prolongation to the Pacific Ocean; westerly and northerly along the shore line of the Pacific Ocean to a point directly south of the intersection of Sunset Boulevard and U.S. Nighway No. 101, Alternate; thence northerly along an imaginary line to point of beginning.

250

SAN FRANCISCO TERRITORY includes that area embraced by the following boundary: Beginning at the point the San Francisco-San Lateo County Boundary Line meets the Pacific Ocean; thence easterly along said boundary line to a point 1 mile west of U.S. Highway No. 101; southerly along an imaginary line 1 mile west of and paralleling U.S. Highway No. 101 to its intersection with the corporate boundary of the City of San Jose; southerly, easterly and northerly along said corporate boundary to its intersection with State Highmay No. 17; northerly along State Righmay Wo. 17 to Warm Springs; northerly along the unnumbered highway via aission San Jose and Miles to Haymard; northerly along Footbill Boulevard to Seminary Avenue; easterly along Schinary Avenue to Lountain Doulevard; northerly slong Lountain Boulevard and Loraga Avenue to Estates Drive; westerly along Estates Drive, Harbord Drive and Broadway Terrace to College Avenue; northerly along College Avenue to Dwight May; easterly along Dwight May to the Berkeley-Caliband boundary Line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Larin Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Mighway No. 40 (Can Pablo Avenue); northerly along U.S. Mighway No. 40 to and including the City of Richmond; scuthwesterly along the highway extending from the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco Waterfront at the foot of Market Street; westerly along said under front and shore line to the Pacific Ocean; southerly along the shore line of the Pacific Ocean to point of beginning.

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Original	2080Ji	HIGH./4Y	Carriers'	TARIFF	NO.	11
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	SECTION	No. 3				
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San Francisco, California

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(1) Add to the rate for 650 miles 25 cents per 100 pounds for each 50 miles or fraction thereof.

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	SECTION NO	. 3 - RATES (Cor	ntinued)		Item
PCINT-TO-	POINT RATES IN CEN	TS PER 100 POUNI	25 (1)		
<u>Between</u>	And	Minimum Weight 100 Pounds	Minimum Weight 500 Pounds	Minimum Weight 2000 Pounds	
Los Angeles Territory	San Francisco Territory	352	337	332	310
from, to San Fran are lowe No. 300 Rates in visions on eithe	es accruing under or between points cisco Territories or than charges acc series, on the same this item applied apply at all points of the high ated cities through	intermediate be via routes shown ruing under the e shipment, such to intermediate s located within way and at all p	tween the Los A in Item No. 35 Distance Ratesi Lower charges points under to a distance of wints located w	ngeles and O series n Item will apply. hese pro- one mile ithin	
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MIGHWAY CARRIERS' TARIFF NO. 11

SECTION NO. 4

ROUTING

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issued by the Fublic Utilities Commission of the State of California
San Francisco, California

SECTION NO. 4 - ROUTING	Item No.
Routing for Rates Provided in Item No. 310 Series (Routes apply in either direction.)	
Route No. 1: From San Francisco Territory via U.S. Highway No. 40 to its junction with unnumbered highway near Crockett; thence easterly via unnumbered highway generally paralleling Southern Pacific Company right of way located along the shore line of Carquinez Strait and Suisum Bay to Martinez; thence County Road generally paralleling Southern Pacific Company right of way through Port Chicago to its junction with State Route 4, 4 miles west of Pittsburg; thence State Route 4 to its junction with County Road 1.6 miles north of Byron; said County Road through Byron to its junction with U.S. Highway No. 50, 3.9 miles west of Tracy; U.S. Highway No. 50 to its junction with State Highway No. 120, 5.0 miles west of Mantoca; State Highway No. 120 to Manteca; thence via U.S. Highway No. 99 to Los Angeles Territory.	
Route No. 2: From San Francisco Territory via U.S. Highway No. 50 to its junction with State Highway No. 120, 5.0 miles west of Manteca; State Highway No. 120 to Manteca; thence via U.S. Highway No. 99 to Los Angelos Territory.	
Route No. 3: From San Francisco Territory via Niles Canyon Highway through Sunol, Pleasanton and Livermore to its junction with U.S. Highway No. 50 east of Livermore; U.S. Highway No. 50 to its junction with State Highway No. 120, 5.0 miles west of Manteca; State Highway No. 120 to Manteca; thonco via U.S. Highway No. 99 to Los Angeles Territory.	
Route No. 4: From San Francisco Territory via U.S. Highway No. 101 to Gilroy; State Highway No. 152 through Los Banos to its junction with U.S. Highway No. 99 north of Madera; thence via U.S. Highway No. 99 to Los Angeles Territory.	350
Route No. 5: From San Francisco Territory via U.S. Highway No. 101 to its junction with State Highway No. 118, 4.0 miles southeast of Ventura; thence via (a) State Highway No. 118 through Chatsworth; or (b) U.S. Highway No. 101 through Girard; or (c) U.S. Highway No. 101 to its junction with U.S. Highway No. 101, Alternate, at El Rio; thence via U.S. Highway No. 101, Alternate, through Oxmard to Los Angeles Territory.	•
Route No. 6: From San Francisco Territory via Routo 1, 2 or 3 to the junction of U.S. Highway No. 50 and State Highway No. 33, 3 miles east of Tracy; thence via State Highway No. 33 to Los Banos; thence via State Highway No. 152 to its junction with U.S. Highway No. 99 north of Madera; thence via Routo 1, 2 or 3 beyond.	•
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Issued by the Public Utilities Commission of the State of California, San Francisco, California. SECTION NO. 5

FORM OF SHIFFING DUCUMENT

(To which reference is made in Item No. 150 Series.)

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San Francisco, California

PTODUMY	CARRIERS	TAPLET NO	. 13
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SECTION	NO. 5 - FORM	OF SHIPPIN	G DOCUMENT		No.
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City		City			
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			Total to Collect		
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Shipper			,		
Ву	Ву		Ву		
(1) Show each charge separat	ely and what	it represen	its.		
	END OF	TARIFF			
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