

ORIGINAL

Decision No. 47764

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of)
rates, rules and regulations for the)
transportation of property by radial)
highway common carriers and highway)
contract carriers between, and by)
city carriers within, the cities of)
Oakland, Alameda, Albany, Berkeley,)
Emeryville and Piedmont.)

Case No. 4108

In the Matter of the Investigation)
and Establishment of rates, charges,)
classifications, rules, regulations,)
contracts and practices of East Bay)
Drayage & Warehouse Co., et al.,)
between the cities of Oakland,)
Alameda, Albany, Berkeley, Emeryville,)
and Piedmont.)

Case No. 4109

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 47663 of September 2, 1952, in Case No. 4808, the Commission found that the minimum rates, rules and regulations set forth in City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A (East Bay drayage) were not designed for application to the operations of independent-contractor subhaulers in rendering service for other carriers. It concluded that the tariff provisions should specifically be made inapplicable to such operations. The tariff will be amended accordingly. At the same time certain other changes not affecting the volume of the rates and charges will be made in the tariff page involved in the interest of clarity and uniformity. In the circumstances a public hearing is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A (Appendix "A" to Decision No. 41362 as amended) be and it is hereby further amended by incorporating

therein, Second Revised Page 11 cancels First Revised Page 11,
attached hereto and by this reference made a part hereof.

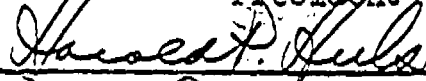
In all other respects said Decision No. 41362, as amended,
shall remain in full force and effect.

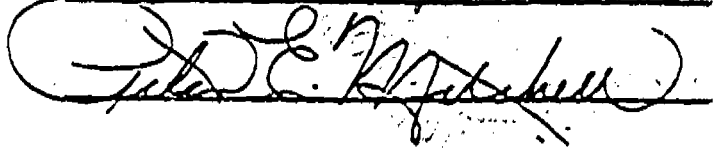
This order shall become effective twenty (20) days after
the date hereof.

Dated at San Francisco, California, this 30th day
of September, 1952.



President





Commissioners

Item No.	SECTION NO. 1-RULES AND REGULATIONS
10-B Cancels 10-A	<p style="text-align: center;">EXPLANATION OF TECHNICAL TERMS</p> <p>Except as otherwise provided herein, the terms used in this Tariff are defined as follows:</p> <p>"CITY DELIVERY" or "CITY DELIVERIES" means transportation of property to retail stores or direct consumers of the property transported when the shipment originates within the territory covered by this tariff at other than a carrier's depot, dock, wharf, pier, or landing.</p> <p>"INHAUL" means the transportation of property received from another carrier at a depot, wharf, pier, or landing originating beyond the limits of the territory covered by this tariff and delivered at one address to the consignee shown on the bill of lading of the carrier from which the shipment is received, or the transportation of property from public warehouses when delivered to one wholesaler consignee at one address.</p> <p>"INDEPENDENT-CONTRACTOR SUBHAULER" means any carrier who renders service for a principal carrier, for a specified recompense, for a specified result, under the control of the principal as to the result of the work only and not as to the means by which such result is accomplished.</p> <p>"OUTHAUL" means transportation of property in City Delivery and Shipping as defined herein.</p> <p>"SHIPPING" means transportation of property to another carrier when destined beyond the territory covered by this Tariff.</p> <p>"SHIPMENT" means a quantity of property received from one shipper, at one pick-up address, on one shipping order or one bill of lading, at one time, for one consignee, to one delivery address.</p> <p>"TON" means 2,000 pounds.</p>
*20-A Cancels 20	<p style="text-align: center;">APPLICATION OF TARIFF-CARRIERS</p> <p>*Rates, rules, regulations and classification named in this Tariff are minimum rates, rules, regulations and classification and apply to the transportation of property over the public highways within the cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont, by carriers as defined in the City Carriers' Act, also for the transportation of property over the public highways between the cities shown, by Highway Contract Carriers and Radial Highway Common Carriers as defined in the Highway Carriers' Act.</p>

*Rates, rules and regulations named in this tariff shall not apply to transportation by independent-contractor subhaulers when such transportation is performed for other carriers. This exception shall not be construed to exempt from the tariff provisions carriers for whom the independent contractors are performing transportation service.

*Change, Decision No. 47784

EFFECTIVE OCTOBER 20, 1952

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 68