

ORIGINAL

Decision No. 47766

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

By Decision No. 47663 of September 2, 1952, in this proceeding, the Commission found that the minimum rates, rules and regulations set forth in City Carriers' Tariff No. 5 - Highway Carriers' Tariff No. 6 (petroleum products) 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.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that City Carriers' Tariff No. 5 - Highway Carriers' Tariff No. 6 (Appendix "C" to Decision No. 32608 as amended) be and it is hereby further amended by incorporating therein, Seventh Revised Page 6 cancels Sixth Revised Page 6, attached hereto and by this reference made a part hereof.

In all other respects said Decision No. 32608, 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 3rd day of September, 1952.

[Signature]
President
[Signature]
[Signature]
Commissioners

Item No.	SECTION NO. 1	RULES AND REGULATIONS
<p>*10-G Cancel 10-F</p>	<p>DEFINITION OF TECHNICAL TERMS</p>	
	<p>(a) CARRIER means a petroleum contract carrier, or city carrier, as defined in the Highway Carriers' Act and in the City Carriers' Act.</p> <p>(b) CARRIER'S EQUIPMENT means any tank motor truck, tank trailer or tank semitrailer, or any combination of such highway vehicles operated by the carrier.</p> <p>(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.</p> <p>(cc) DISTANCE TABLE means Distance Table No. 3, amendments thereto or reissues thereof.</p> <p>(d) ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p>* (d-a) 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>(e) POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent.</p> <p>(f) 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.</p> <p>(g) 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.</p> <p>(h) RATE includes charge and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p>(i) 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.</p> <p>(j) 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 Items Nos. 87 and 90 series for exceptions.)</p> <p>(k) 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>(l) SPLIT DELIVERY SHIPMENT means a shipment consisting of two or more 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, said shipment being shipped by one consignor at one point of origin and charges thereon being paid by the consignor when there is more than one consignee.</p>	

APPLICATION OF TARIFF--GENERAL

Rates provided in this tariff apply for the transportation of shipments of petroleum and petroleum products as described in Item No. 30 series, in bulk in tank trucks, tank trailers or tank semitrailers, or a combination of such highway vehicles between points in the State of California by petroleum contract carriers as defined in the Highway Carriers' Act, and by carriers as defined in the City Carriers' Act. Rates include connecting and disconnecting piping and other services incidental to loading and unloading except those services for which rates or charges are provided in individual items.

*20-E
Cancels
20-D

For rates for the transportation of petroleum and petroleum products, other than as provided in this tariff, see Highway Carriers' Tariff No. 2, supplements thereto and reissues thereof.

*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. 47765

EFFECTIVE OCTOBER 20, 1952

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

Correction No. 39