

**ORIGINAL**

Decision No. 47763

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	)	Case No. 4808
of all common carriers, highway	)	
carriers and city carriers relating	)	
to the transportation of property.	)	

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. 8 - Highway Carriers' Tariff No. 10 (cement) 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 pages involved in the interest of tariff 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. 8 - Highway Carriers' Tariff No. 10 (Appendix "A" to Decision No. 44633 as amended) be and it is hereby further amended by incorporating therein, Second Revised Page 4 cancels First Revised Page 4 and Second Revised Page 5 cancels First Revised Page 5, attached hereto and by this reference made a part hereof.



SECTION NO. 1-RULES AND REGULATIONS	Item No.
<p style="text-align: center;">DEFINITIONS</p> <p>*(a) CARRIER means a carrier, as defined in the City Carriers' Act, or a radial highway common carrier or a highway contract carrier, as defined in the Highway Carriers' Act.</p> <p>(b) COMMISSION means the Public Utilities Commission of the State of California.</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>(d) DISTANCE TABLE means Distance Table No. 4, amendments thereto, or reissues thereof.</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) 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.</p> <p>(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.</p> <p>(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.</p>	<p style="text-align: right;">*10-B Cancels 10-A</p>

(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.

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

\*Change, Decision No. 47768

EFFECTIVE OCTOBER 20, 1952

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

Correction No. 4

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, and the Highway Carriers' Act. 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> <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.</p>	*30-A Cancels 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="padding-left: 20px;">Lime, common, including magnesium lime, hydrated or hydraulic, quick or slaked, in packages; Cement fluc 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

COMPUTATION OF CHARGES - WEIGHTS

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.

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	

\*Change, Decision No. 47768

EFFECTIVE OCTOBER 20, 1952

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 5