

**ORIGINAL**

Decision No. 47769

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. 4803

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 Highway Carriers' Tariff No. 2 (general commodities) 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 Highway Carriers' Tariff No. 2 (Appendix "D" to Decision No. 31606 as amended) be and it is hereby further amended by incorporating therein, Seventh Revised Page 11 cancels Sixth Revised Page 11 and Ninth Revised Page 13 cancels Eighth Revised Page 13, attached hereto and by this reference made a part hereof.

In all other respects said Decision No. 31606, 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 11<sup>th</sup> day of September, 1952.

President

Commissioners

Item No.	SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION
<p>*10-G Cancels 10-F</p>	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11 Series)</p> <p>(a) CARRIER means a radial highway common carrier or a highway contract carrier as defined in the Highway Carriers' Act, or a household goods carrier as defined in the Household Goods Carriers Act.</p> <p>(b) CARRIER'S EQUIPMENT means any motor truck or other self-propelled highway vehicle, trailer, semi-trailer, 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, 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 by an interstate or foreign route lawfully in effect at time of shipment.</p> <p>(cc) DISTANCE TABLE means Distance Table No. 4, 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>(e) EXCEPTION SHEET means Pacific Southcoast Freight Bureau Exception Sheet No. 1-R, Cal.P.U.C. No. 133 of J. P. Haynes, Agent, and supplements thereto or reissues thereof when the provisions of such supplements or reissues have been approved by the Commission.</p> <p>*(ca) 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>(ce) PICKUP AND DELIVERY CHARGE means the full charge applicable without the deduction authorized by Item No. 110 series.</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.</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.</p> <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. It also includes truck loading facilities of plants or industries located at such rail or vessel loading or unloading point.</p> <p>(i) RATE includes charge and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p>(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.</p>
	<p>*Change, Decision No. 47769</p>
	<p style="text-align: center;">EFFECTIVE OCTOBER 20, 1952</p>
	<p style="text-align: center;">Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p>
	<p>Correction No. 477</p>

Item No.	SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
*20-C Cancels 20-B	<p style="text-align: center;">APPLICATION OF TARIFF--CARRIERS</p> <p>Rates provided in this tariff are minimum rates established pursuant to the Highway Carriers' Act and the Household Goods Carriers Act and apply for transportation of property by radial highway common carriers, highway contract carriers and household goods carriers as defined in said Acts.</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>Radial highway common carriers, highway contract carriers and household goods 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- G Cancels 30-F	<p style="text-align: center;">APPLICATION OF TARIFF--TERRITORIAL</p> <p>Rates in this tariff apply for transportation of shipments between all points within the State of California, except:</p> <p>(a) Shipments having point of origin in Alameda, Albany, Berkeley, Emeryville, Oakland or Piedmont, and point of destination in another of those cities;</p> <p>(b) Shipments between San Francisco and South San Francisco;</p> <p>(c) Shipments having both point of origin and point of destination within the San Diego Drayage Area as described in City Carriers' Tariff No. 7 - Highway Carriers' Tariff No. 9, amendments thereto or reissues thereof;</p> <p>(d) Shipments having both point of origin and point of destination within the Los Angeles Drayage Area, as described in City Carriers' Tariff No. 4 - Highway Carriers' Tariff No. 5, amendments thereto or reissues thereof;</p> <p>(e) Shipments (1) between Sacramento and North Sacramento; (2) between Sacramento and West Sacramento; (3) between said cities on the one hand and the adjacent plants of the Lumbermen's Supply, Inc., Swanston &amp; Son, Sacramento Wool Company, Sacramento Food Company, Essex Lumber Company and Campbell Soup Company on the other hand; (4) between said cities and plants on the one hand and the Sacramento Air Depot, the Sacramento Municipal Airport and the Sacramento Signal Depot on the other hand; and (5) between the Sacramento Air Depot, the Sacramento Municipal Airport and the Sacramento Signal Depot;</p> <p>(f) Shipments between Marysville and Yuba City and between said cities on the one hand and the adjacent plant of the Harter Packing Company on the other hand;</p> <p>(g) Shipments between the Sonora freight depot of the Sierra Railroad Company and Sonora.</p>
* Change, Decision No. 47769	
EFFECTIVE OCTOBER 20, 1952	
Issued by the Public Utilities Commission of the State of California, San Francisco, California.	
Correction No. 478	