

ORIGINAL

Decision No. 47771

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 Highway Carriers' Tariff No. 8 (fresh fruits and vegetables) were not designed for application to the operations of independent-contractor subhauliers 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 clarity and uniformity. In the circumstances a public hearing is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Highway Carriers' Tariff No. 8 (Appendix "C" to Decision No. 33977 as amended) be and it is hereby further amended by incorporating therein, Fourth Revised Page 4 cancels Third Revised Page 4 and Fifth Revised Page 6 cancels Fourth Revised Page 6, attached hereto and by this reference made a part hereof.

In all other respects said Decision No. 33977, 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 OF GENERAL APPLICATION
10-D Cancels 10-C	<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 Highway 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, as defined in the Public Utilities Act, on file with the Commission and in effect at time of shipment.</p> <p>(c-1) CONTAINER ICING means placing ice within the package with the fruit or vegetable shipped.</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-1) 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) PICKUP AND DELIVERY CHARGE means the full charge applicable without the deduction authorized by Item No. 120 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. (See also Item No. 120, paragraph 2.)</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 all locations on or along a single packing or shipping shed, and all locations within a radius of 100 yards from a single point, within a single field will be considered as one point of origin.</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 and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.</p>
	(Continued in Item No. 11 series)
	*Change, Decision No. 47771
	EFFECTIVE OCTOBER 20, 1952
	Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 117

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
*20-A Cancels 20	<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 apply for the transportation of property by radial highway common carriers and highway contract carriers, as defined in said 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>*Rates, rules and regulations named in this tariff shall not apply to transportation by independent-contractor sub-haulers 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-E Cancels 30-D	<p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL</p> <p>Rates in this tariff apply 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>
	*Change, Decision No. 47771
	EFFECTIVE OCTOBER 20, 1952
	<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California</p> <p>Correction No. 118</p>