

Decision No. 4777i**ORIGINAL**

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. 7 - Highway Carriers' Tariff No. 9 (San Diego 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 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 City Carriers' Tariff No. 7 - Highway Carriers' Tariff No. 9 (Appendix "A" to Decision No. 35055 as amended) be and it is hereby further amended by incorporating therein, First Revised Page 5 cancels Original Page 5 and First Revised Page 6 cancels Original Page 6, attached hereto and by this reference made a part hereof.

In all other respects said Decision No. 35055, 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 31st day
 of September, 1952.

[Signature]
 President
[Signature]
[Signature]

Commissioners

Item No.	SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION
10-A Cancels 10	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11 series)</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) 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 on date of shipment.</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 said supplements or reissues have been approved by the Commission.</p> <p>*(e-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>(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) 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 style="text-align: center;">(Concluded on Page 6)</p>
	*Change, Decision No. 47774
	EFFECTIVE OCTOBER 20, 1952
	<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 26</p>

Item No.	SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
11-A Cancels 11	<p>DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11 series)</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.</p> <p>(k) WESTERN CLASSIFICATION means Western Classification No. 75, Cal.P.U.C.-W.C. No. 8 of G. H. Dumas, Agent, and supplements thereto or reissues thereof when the provisions of said supplements or reissues have been approved by the Commission.</p>
*20-A Cancels 20	<p>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>*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>
*Change, Decision No. <u>4777A</u>	
EFFECTIVE OCTOBER 20, 1952	
Issued by the Public Utilities Commission of the State of California, San Francisco, California.	
Correction No. 27	