

Decision No. 50536

**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 of all common )  
carriers, highway carriers, and city )  
carriers relating to the transportation )  
of property. )

Case No. 4808

SUPPLEMENTAL OPINION AND ORDER

Minimum rates, rules and regulations for the transportation of uncrated new furniture are set forth in Minimum Rate Tariff No. 11-A. The basic minimum rates in this tariff apply only from carriers' depots, a depot being defined as "an established freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments."

Inquiries have been received whether carriers who establish depots at the places of business of shippers may thereafter apply the depot rates on shipments received from such shippers. It is evident that such a practice would permit of discriminatory rate treatment between shippers. Moreover, the basic rates reflect the cost of transporting shipments assembled at central depots, and hence would not be suitable for transporting shipments picked up at various shipper premises which might be designated as "depots." Minimum Rate Tariff No. 11-A will be amended to provide that the additional rates for other than depot origin shall be assessed in connection with shipments transported for persons, companies or corporations upon whose premises depots from which the transportation is performed are located.

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<sup>1</sup>  
A similar provision appears in Item No. 110 series of Highway Carriers' Tariff No. 2. It was incorporated therein for reasons similar to those which apply herein. (See Decision No. 32401 of October 3, 1939, in Case No. 4246, (42 C.R.C. 140).)

Also, in the interest of clarification, a reference to an exemption within the Los Angeles Drayage Area will be made more certain, and a reference to traffic exempted from Highway Carriers' Tariff No. 2 will be removed.

A public hearing is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Minimum Rate Tariff No. 11-A (Appendix "A" to Decision No. 50114 as amended) be and it is hereby further amended by incorporating therein to become effective October 15, 1954, First Revised Page 5 Cancels Original Page 5 and First Revised Page 6 Cancels Original Page 6, which pages are attached hereto and by this reference made a part hereof.

IT IS HEREBY FURTHER ORDERED that tariff publications to be made by common carriers pursuant to this order may be made effective on not less than five days' notice to the Commission and to the public.

In all other respects said Decision No. 50114 as amended, shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 14th day of September, 1954.

*John E. Mitchell*  
President  
*James D. Casper*  
*Kenneth Patten*  
*Gene Higgins*  
Commissioners

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<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. They apply for the transportation of uncrated new furniture by radial highway common carriers and highway contract carriers as defined in said 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>	20
<p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL</p> <p>Rates in this tariff apply to transportation of shipments between all points within the State of California, except transportation:</p> <p>(1) Within incorporated cities;</p> <p>(2) Within or between zones described in the following Commission tariffs:</p> <p style="padding-left: 2em;">(a) City Carriers' Tariff No. 2-A- Highway Carriers' Tariff No. 1-A</p> <p>* (b) Los Angeles Drayage Area as described in Minimum Rate Tariff No. 5.</p> <p style="padding-left: 2em;">(c) City Carriers' Tariff No. 7 - Highway Carriers' Tariff No. 9</p>	*30-A Cancels 30
<p style="text-align: center;">REFERENCES TO ITEMS AND OTHER TARIFFS</p> <p>Unless otherwise provided, references herein to item numbers in this or other tariffs include references to such numbers with letter suffix, and references to other tariffs include references to amendments and successive issues of such other tariffs.</p>	40
<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES</p> <p>Rates in this tariff apply to the transportation of uncrated new furniture except when transported:</p> <p>(1) From retail stores or retail store warehouses where the property has been sold at retail by a retail merchant, or transported from retail customers to retail stores or retail store warehouses.</p> <p>* (2) For the United States, state, county or municipal governments.</p>	*50-A Cancels 50
<p>* Change, Decision No. <span style="margin-left: 100px;"><b>50536</b></span></p>	
EFFECTIVE OCTOBER 15, 1954	
<p style="text-align: center;">Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 2</p>	

SECTION NO. 1 - RULES AND REGULATIONS (Continued)		Item No.																		
APPLICATION OF RATES																				
<p>Rates provided in this tariff are for the transportation of shipments from point of origin to point of destination, and include loading into and unloading from carrier's unit of equipment, subject to Note 1.</p> <p>Note 1. When the point of origin is other than a depot, an additional rate as provided below shall be added to the rates set forth in Section 3.</p> <p style="text-align: center;"><u>Rates in Cents Per 100 Pounds</u></p> <table border="1"> <thead> <tr> <th><u>Minimum Weight</u></th> <th><u>Column A(1)</u></th> <th><u>Column B(2)</u></th> </tr> </thead> <tbody> <tr> <td>Any Quantity</td> <td>64</td> <td>70</td> </tr> <tr> <td>500 Pounds</td> <td>55</td> <td>63</td> </tr> <tr> <td>2,000 Pounds</td> <td>52</td> <td>60</td> </tr> <tr> <td>4,000 Pounds</td> <td>40</td> <td>(3)</td> </tr> <tr> <td>6,000 Pounds</td> <td>(3)</td> <td>(3)</td> </tr> </tbody> </table> <p>(1) Column A rates apply to shipments not subject to Column B rates.</p> <p>(2) Column B rates apply only to shipments having point of origin in one of the following counties: San Francisco, San Mateo, Santa Cruz, Santa Clara, San Benito, Monterey, Alameda, Contra Costa, Marin, Sonoma, Solano and Napa.</p> <p>(3) No additional rate.</p> <p># Note 2. The rates provided in Note 1 shall be added to the rates set forth in Section 3 in connection with shipments transported for persons, companies or corporations upon whose premises depots from which the transportation is performed are located.</p>		<u>Minimum Weight</u>	<u>Column A(1)</u>	<u>Column B(2)</u>	Any Quantity	64	70	500 Pounds	55	63	2,000 Pounds	52	60	4,000 Pounds	40	(3)	6,000 Pounds	(3)	(3)	60-A Cancels 60
<u>Minimum Weight</u>	<u>Column A(1)</u>	<u>Column B(2)</u>																		
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4,000 Pounds	40	(3)																		
6,000 Pounds	(3)	(3)																		
<p style="text-align: center;"><u>ACCESSORIAL SERVICES</u></p> <p>When carrier performs any accessorial or incidental service which is not authorized to be performed under rates named in this tariff, and for which a charge is not otherwise provided, additional charges shall be assessed as provided in Item No. 90. The charge therein provided for unit of equipment shall apply whenever the accessorial or incidental service requires its use, or whenever the unit of equipment is inactivated by reason of its driver or helper being engaged in such service.</p>		70																		
<p style="text-align: center;"><u>DELAYS TO EQUIPMENT</u></p> <p>When consignor or consignee is responsible for delay to carrier's equipment at or in vicinity of either point of loading or point of unloading in excess of 30 minutes (exclusive of time actually involved in loading or unloading) additional charges for delay time in excess of 30 minutes shall be assessed as provided in Item No. 90.</p>		80																		

CHARGES FOR ACCESSORIAL SERVICES OR DELAYS

For accessorial services or delays under the conditions specified in Items Nos. 70 and 80, charges shall be assessed for each period or fraction thereof, as follows:

	<u>Charges in Cents</u>		90
	<u>For First 30 Minutes</u>	<u>For each Additional 15 Minutes</u>	
(a) For driver, helper or other employee, per man .....	120	60	
(b) For unit of equipment .....	50	25	

\* Change }  
# Addition } Decision No. **50536**

EFFECTIVE OCTOBER 15, 1954

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 3