

ORIGINAL

Decision No. 50556

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of certain (Highway Carriers for)
authority to perform transportation)
and accessorial service at a lesser)
rate than the minimums provided in)
Highway Carriers' Tariff No. 8.)

Application No. 35074 ✓

In the Matter of the Application)
of certain (Highway Carriers for)
authority to perform transportation)
and accessorial service at a lesser)
rate than the minimums provided in)
Highway Carriers' Tariff No. 8.)

Application No. 35227 ✓

In the Matter of the Investigation)
into the rates, rules, regulations,)
charges, allowances and practices)
of all common carriers, highway car-)
riers and city carriers relating to)
the transportation of property in)
Los Angeles and Orange Counties)
(transportation for which rates are)
provided in City Carriers' Tariff)
No. 4 - Highway Carriers' Tariff)
No. 5).

Case No. 5435

In the Matter of the Investigation)
into the rates, rules, regulations,)
charges, allowances and practices)
of all common carriers, highway car-)
riers and city carriers relating to)
the transportation of fresh or green)
fruits and vegetables and related)
items (commodities for which rates)
are provided in Highway Carriers')
Tariff No. 8).

Case No. 5438

(For appearances see Appendix "A") ✓

O P I N I O N

Applications Nos. 35074 and 35227 were filed on behalf of twenty carriers engaged in the transportation of fruits and vegetables to produce markets in Los Angeles from farms and ranches of approximately 375 growers in Los Angeles and Orange Counties. By their applications the carriers seek authority to assess lesser rates for this transportation than the applicable minimum rates specified in Highway Carriers' Tariff No. 8. They allege that the minimum rates are excessive in relation to the cost of service and place an undue burden upon the growers and upon the public generally. Because of the apparent widespread public interest in the proceedings, a hearing was ordered by the Commission in Case No. 5435 to determine whether in the circumstances special minimum rates for the transportation should be established.¹

The hearings in Case No. 5435 and of the applications were held on a consolidated record before Examiner C. S. Abernathy at Los Angeles on August 11 and 12, 1954. Evidence was submitted for applicants by the president of the Los Angeles Local Produce Association whose members include carriers transporting in excess of 90 percent of the produce involved herein. Evidence was presented also by a transportation engineer and by a rate expert of the Commission's staff, by witnesses called on behalf of the Los Angeles County Farm Bureau and the California Farm Bureau Federation, and by the president of Southern California Freight Lines, a highway common carrier operating generally throughout southern California. The hearings in this phase of Case No. 5435

¹ Case No. 5438 was not scheduled for hearing.

were concluded. However, pending issuance of the Commission's decision in that proceeding, the applications were removed from the Commission's hearing calendar at applicants' request. ✓

According to the allegations and evidence of applicant carriers, the transportation services involved herein are performed under circumstances which permit operating economies not applicable to the transportation of fruits and vegetables, generally. The carriers confine their operations to areas which are relatively limited in size. Within these areas they work closely in cooperation with their farmer customers. Because of the limited scope of their pickup areas and because of their relationships with the farmers, they are able to obtain shipments and to dispatch and load their vehicles with a minimum amount of expense. At the markets their drivers perform the unloading services whereas other carriers whose operations are not confined to local produce hauling must engage the services of unloaders, a fact which adds materially to the operating costs of those carriers.

Applicants' witness testified that until approximately a year ago the rates which were being assessed for the transportation involved herein were less than those named in Highway Carriers' Tariff No. 8. At that time the carriers became aware of the minimum rate requirements and have assessed their charges accordingly. As one of the applicant carriers, the witness asserted that since he has been charging the rates prescribed by Highway Carriers' Tariff No. 8 he has experienced a substantial loss of business. He said that farmers have diverted many of their shipments to processing plants, which movements are not subject to the minimum rates; that also a considerable volume of proprietary hauling has developed either by carriers who buy their produce at the farms and sell it at

the markets or by the markets which buy directly from the farms and transport their produce in their own vehicles. He urged the establishment of reduced rates to enable the carriers to meet the unregulated and the proprietary competition. As between the granting of the specific authority sought in Applications Nos. 35074 and 35227 and the establishment of a special scale of minimum rates which would be available to all carriers, he preferred the latter.

The Commission engineer introduced the results of a study which he had made to ascertain the costs of the specific services involved herein. He reported that the local produce hauling may be done at costs substantially below the costs of produce haulers generally. Reasons which he gave for the lower costs are that the drivers in the local service receive wages which are less than the wages paid drivers of other produce carriers, that in the local service the drivers may unload their vehicles, and that the vehicles which transport the produce to the markets may be loaded in the fields whereas in other produce hauling it is commonly necessary to load the produce in pickup trucks and subsequently transfer it at the terminals to line-haul vehicles. He said, furthermore, that trade practices in the handling of produce locally permit commingling of several shipments of the same items without the necessity of subsequent segregation by specific lot in making deliveries. This method of handling, he explained, permits more expeditious and economical unloading than can be attained in usual circumstances where the shipments in the loads must be segregated by shipper and by consignee. In the

following table the costs which the engineer determined to be applicable for various lengths of haul in local service are set forth with the rates in Highway Carriers' Tariff No. 8 for comparable distances:

Costs and Rates in Cents per 100 Pounds

Miles	Any Quantity (A) (B)		Minimum Weight							
			2,000 Pounds		4,000 Pounds		10,000 Pounds		18,000 Pounds	
			(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)
15	35.9	70	28.7	45	25.7	41	22.9	26.5	20.1	21
25	38.4	72	31.3	46	28.3	43	25.4	28.5	22.6	23
40	41.9	75	34.7	49	31.6	46	28.8	31.5	26.0	26.5

- (A) Costs, exclusive of allowance for profit.
- (B) Present minimum rates.

The rate expert submitted and explained proposed rate scales which he had developed upon the basis of the engineer's costs and from field studies which he had made of the carriers' and shippers' practices. He said that these scales were designed to compensate the carriers for the costs of the services performed and provide a reasonable profit. Three scales of rates were proposed by the rate witness:

- (A) Rates stated in cents per 100 pounds.
- (B) Rates stated in cents per 100 pounds but providing an alternative that charges could be assessed on a per-container basis providing that the resultant charges could be not less than the charges on the 100-pound basis.
- (C) Rates stated in cents per container.

Of the three he preferred the scale of rates in cents per 100 pounds without the alternative provisions. He said that transportation rates traditionally are quoted in cents per 100 pounds. For this reason he felt that they could be properly adopted in the present

instance. He was of the opinion, moreover, that there would be certain advantages under such a scale in the ease of observance of those rates.

It is clear from the record herein that the present rates named in Highway Carriers' Tariff No. 8 are higher than necessary to return the costs of the transportation and allowance for reasonable profit for the particular specialized services herein involved. Although no allowance for profit is included in the costs set forth in the foregoing table, it is evident that even with ample provision therefor in order to arrive at a basis of reasonable rates, the resultant figures would be less than the rates now applicable. It appears that a lesser scale of rates for the traffic involved should be established not only to provide more reasonable charges but also to enable the carriers to retain and to recover traffic being diverted from them because of the present tariff provisions.

Since the record herein reflects the circumstances under which virtually all of the produce moving locally to the Los Angeles markets is transported, it appears that establishment of a specific scale of minimum rates for this traffic is justified. This course of action, it is noted, is preferred by the parties to Applications Nos. 35074 and 35227 to granting of the special authority sought by them. The other parties to the proceeding apparently were in similar agreement.

Regarding the form of the rates to be established, the manner of publication, and various other matters, there were certain diversities of viewpoint. These will be discussed hereinafter.

Form of the Rates

The preference of the rate witness for rates stated in cents per 100 pounds had the support of the witness for the Southern California Freight Lines who testified that his experience had been that a rate scale in cents per 100 pounds is a more definite basis of rates. Although the computation of transportation charges on a basis of rates in cents per 100 pounds entails the ascertainment of the weights of the shipments, the witness testified that this determination involves no particular problems. In support of this conclusion he asserted that the railroads have handled shipments of fruits and vegetables on a weight basis for years. He said that the weights which the railroads use are on a container basis, and that these weights are arrived at by a sampling process which permits appropriate adjustments of the container weights to reflect changes in density of packs.

On the other hand the position of the Los Angeles County Farm Bureau and the California Farm Bureau Federation was that rates should be established on a package or container basis. According to witnesses called by these farm organizations, all transactions involving the marketing of fresh fruits and vegetables, with a few minor exceptions, are on a package or container basis. In order to conform with the practices of the trade the representative of the farm organizations urged that the Commission adopt the scale of rates recommended by the rate witness setting forth charges in cents per container.

The position of the carriers who are engaged in the transportation directly involved herein was that the proposal of the rate witness which permitted alternation of 100-pound rates with container rates should be adopted. They stated that such a scale would meet the necessities for a simplified basis of charges and that the necessary weight determinations could be made without too much difficulty. They took exception to the container rate scale proposed by the rate witness because they said that the differences between the charges for the various size containers were so great that the shippers would not observe them. In this connection it is noted that there is as much as 50 percent variation between the rates which the witness proposed for containers weighing less than 30 pounds and for those weighing more than 30 pounds.

It appears that the proposal of the rate witness which permits the alternation of container rates with the 100-pound rates should be preferred inasmuch as it retains the advantages inherent in the weight basis of assessing charges yet permits the carriers to assess charges in conformity with the practices of the trade. As to the procedures to be followed in arriving at the weights to be used under this rate scale, it appears appropriate to restate the Commission's conclusions in Decision No. 43301, dated September 13, 1949, in Case No. 4808 dealing with the determination of weights of shipments of fresh fruits and vegetables:

"A requirement that transportation charges be based upon actual gross weight does not necessarily mean that every package must be physically passed over scales. Accurate scales, when they are available and their use is practical, will of course provide the best method of determining shipping weights. The weight of a shipment consisting of a considerable number of substantially identical packages may be determined with reasonable accuracy by weighing a sufficient number of the packages. Where there are a number of shipments of similar packages, the sampling method may be extended, if necessary, without actually weighing a sample from each separate shipment. The method of determining the weight, whether by scaling, sampling, or otherwise, may best be decided by the carrier according to the particular circumstances encountered at the time."

Form of Publication and Application of Rates

The rate witness recommended that the rates be published in City Carriers' Tariff No. 4 - Highway Carriers' Tariff No. 5 and that they be made subject to the rules and regulations therein. He further recommended that the rates be made applicable to all transportation of fresh fruits and vegetables between points in an area generally consisting of the Los Angeles Basin and Orange County, which area he designated as Los Angeles Local Produce Territory.

If the recommendations of the rate witness in these respects were adopted, various important provisions relating to movements of fruits and vegetables in the area would be affected. For example, present provisions which exempt the transportation of fruits and vegetables to processing plants from application of the minimum rates would not apply and such movements would be made subject to the rates which the rate witness would have established. These changes appear to go further than the original intent of the rate witness who said that the primary objective of his studies and recommendations was to arrive at a reasonable basis of rates for the

traffic directly involved herein and not to make changes in the provisions affecting other traffic.

To eliminate these objections to inclusion of the rates in City Carriers' Tariff No. 4 - Highway Carriers' Tariff No. 5, the rate witness suggested as an alternative proposal that the rates be included in Highway Carriers' Tariff No. 8. This proposal had the support of the witness for Southern California Freight Lines who pointed out that the minimum rates of the Commission for the transportation of fruits and vegetables have heretofore been maintained in a single tariff. He said that for purposes of simplicity this practice should be continued. Similar views were expressed by counsel for the Motor Truck Association of California. In view of these several circumstances it appears that the alternative proposal of the rate witness with respect to publication of the rates in Highway Carriers' Tariff No. 8 should be adopted.

The recommendation of the rate expert that his proposed rates be made applicable to transportation between all points within the designated Los Angeles Local Produce Territory is a modification of his initial proposal which limited the application of the rates to shipments delivered to areas in which the principal produce terminals in Los Angeles are located. The enlargement of his initial proposal was made (a) to include certain substantial receivers of fruits and vegetables whose plants are located to the south of the present produce markets and (b) to avoid violations of constitutional and statutory prohibitions against assessing greater charges for the transportation of like property for shorter than for a longer distance over the same route in the same direction.

From testimony of the witness for the carrier applicants, it appears that a destination territory consisting of an area generally within a five-mile radius of the produce terminals located in the vicinity of the intersection of Central Avenue and Olympic Boulevard, Los Angeles would include all of the principal receivers of the produce shipments involved herein. Extension of the destination territory beyond these limits is not supported by the evidence of record. Although limitation of the rates which the rate witness recommended to deliveries within such a destination territory would result in the application of higher rates named in Highway Carriers' Tariff No. 8 to deliveries to intermediate points, it appears that the underlying circumstances are of such special nature that they justify authorization of departures from the constitutional and statutory provisions referred to hereinabove.

Empty Containers

The rates which were proposed by the rate witness include the delivery of empty, secondhand containers, returned from an outbound paying load or forwarded for a return paying load. In this respect the rates differ from those in Highway Carriers' Tariff No. 8 which provides a specific rate scale for the movement of empty containers. In explanation of this aspect of his proposal the rate witness stated that he had found that only a small percentage of the containers which the farmers use in packing their produce move in for-hire carriage. He asserted that the bulk of the movements are in proprietary transportation service in which the carriers themselves buy the containers and sell them to the farmers. Because of these circumstances and because the engineer had not developed

a specific scale of costs for the empty container movements, he constructed his rate proposals as indicated.

The witness for Southern California Freight Lines took exception to this recommendation of the rate witness. He said in effect that if it were adopted the carriers would be required to engage in involved checking procedures in order to account for properly the containers which would be subject to the rates in Highway Carriers' Tariff No. 8. To avoid this undesirable result, he urged that the container rates be separately stated.

The exceptions of the witness for Southern California Freight Lines are well founded. In view of our conclusions herein that the rates should be published in Highway Carriers' Tariff No. 8, it appears that the maintenance of two scales of rates to govern the transportation of fruits and vegetables in the same general area, one scale including the movement of empty containers and the other not would be unduly burdensome and confusing to shippers and carriers alike. In adopting the proposal of the rate witness as hereinbefore indicated, modifications will be made in the rates to exclude costs attributable to the transportation of empty containers. Such movements will be made subject to the container rates in Highway Carriers' Tariff No. 8.

Minimum Charges per Container

The carriers, parties to Applications Nos. 35074 and 35227, advocated that in the establishment of specific minimum rates for the transportation involved herein the following minimum charges per container be provided:

	Any Quantity	Minimum Weight 10,000 pounds
Fruits or vegetables		
In lettuce crates, per crate	\$.15	\$.14
In any other container	.10	.09

In justification of this proposal the carriers' witness said that in local transportation vegetables are often packed loosely in the containers and that as a consequence the filled containers are relatively light in relation to the space which they occupy in the vehicles. He said also that containers of some fruits such as berries are small and light and require extra care and work in handling. The minimum charges as above were urged as a means for compensating the carriers equitably for the services performed.

Aside from proposing the foregoing charges, which assertedly had been reached by agreement amongst themselves, the carriers did not submit evidence to establish the propriety of the specific charges. In the absence of such information it appears that the recommendations of the carriers in this respect should not be adopted. Since the rates to be established hereinafter are minimum in application only, the carriers are not precluded from assessing such minimum charges per container as they deem to be reasonably necessary under special circumstances to protect the volume of their revenues.

One more matter which requires comment herein relates to a motion made on behalf of the Motor Truck Association of California that such order as may be issued in this phase of Case No. 5435 be prescribed on an interim basis and that the matters involved be set for further hearing in conjunction with Case No. 5438. In support of this motion counsel for the Motor Truck Association of California pointed out that adoption of the rate proposals would have the effect of establishing an exception to the minimum rates in Highway Carriers' Tariff No. 8. He expressed concern lest such action would result in unreasonable discrimination to both shippers and carriers outside of the areas for which reduced rates would be established. He

argued that the rates should be considered in conjunction with those involved in Case No. 5438 in order that there be established a reasonable and sound relationship of the rates to those in Highway Carriers' Tariff No. 8. Although the arguments for the motion have certain merit, no real benefit would be realized from limiting the duration of the rates to be prescribed. Insofar as the matter of discrimination is concerned, it is not apparent from the evidence, to what extent, if any, undue discrimination would result under the lower rates. The rates appear justified by special circumstances which were shown to prevail in the areas involved. The evidence does not show that similar conditions exist with respect to transportation from other areas. On the contrary it appears generally that different and more adverse circumstances attend the transportation from other areas. The motion of the Motor Truck Association of California will be denied.

Upon careful consideration of the evidence adduced in this phase of Case No. 5435, the Commission is of the opinion and finds that the rates, rules and regulations established by the following order will provide just, reasonable and nondiscriminatory minimum rates, rules and regulations for the transportation involved herein. Since such rates, rules and regulations constitute an exception to the minimum rates, rules and regulations applicable in accordance with the present provisions of Highway Carriers' Tariff No. 8, appropriate modification of those provisions with respect to the transportation in issue will be made by order herein in Case No. 5438. The tariff revisions substantially grant the relief sought by the applicants in Applications Nos. 35074 and 35227. These applications therefore will be dismissed without prejudice.

By Decision No. 50156, dated June 18, 1954, in Case No. 5432, the definition of common carrier rate in Highway Carriers' Tariff No. 2 was amended to include interstate or foreign rail rates applicable to the transportation of agricultural commodities exempted from certain

rate regulation under the Interstate Commerce Act. Highway Carriers' Tariff No. 8 will be amended in a corresponding manner.

In the interest of tariff simplification, the titles of Highway Carriers' Tariff No. 8 and of City Carriers' Tariff No. 4 - Highway Carriers' Tariff No. 5 will be changed to Minimum Rate Tariff No. 8 and Minimum Rate Tariff No. 5, respectively. Also, in order to simplify references to other items and tariffs, there will be provided by general rule in these tariffs that references to item numbers include references to such numbers with letter suffixes and references to tariffs include references to amendments and successive issues of such tariffs.

O R D E R

Based upon the evidence of record, and upon the conclusions and findings set forth in the preceding opinion,


IT IS HEREBY ORDERED:

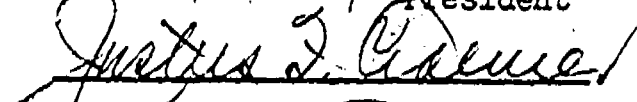
1. That Highway Carriers' Tariff No. 8 (Appendix "C" to Decision No. 33977, as amended) be and it is hereby further amended by changing the title thereof to Minimum Rate Tariff No. 8, and by incorporating therein, to become effective October 15, 1954, the revised pages attached hereto and listed in Appendix "1" also attached hereto, which pages and appendix by this reference are made a part hereof.
2. That City Carriers' Tariff No. 4 - Highway Carriers' Tariff No. 5 (Appendix "A" of Decision No. 32504, as amended) be and it is hereby further amended by changing the title thereof to Minimum Rate Tariff No. 5 and by incorporating therein, to become effective October 15, 1954, the revised pages attached hereto and listed in Appendix "2" also attached hereto, which pages and appendix by this reference are made a part hereof.
3. That any reference in Commission orders or tariffs to Highway Carriers' Tariff No. 8 shall also be deemed to be a reference to Minimum Rate Tariff No. 8.
4. That any reference in Commission orders or tariffs to City Carriers' Tariff No. 4 - Highway Carriers' Tariff No. 5, shall also be deemed to be a reference to Minimum Rate Tariff No. 5.


5. That in all other respects the aforesaid Decisions Nos. 32504 and 33977, as amended, shall remain in full force and effect.
6. That common carrier tariff publications required or authorized to be made as a result of the amendments herein of the aforesaid tariffs shall be made effective on or before October 15, 1954, on not less than five days' notice to the Commission and to the public.
7. That common carriers be and they are hereby authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California, and Section 460 of the Public Utilities Code to the extent necessary to carry out the effect of the order herein.
8. That the motion of the Motor Truck Association of California for limitation of the order herein to an interim basis be and it is hereby denied.
9. That Application Nos. 35074 and 35227 be and they are hereby dismissed without prejudice. ✓


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

Dated at San Francisco, California, this 9th day of September, 1954.



President






Commissioners

Commissioner Ray E. Veterin being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX "A" TO DECISION NO. 50556

List of Appearances

- H. Spencer St. Clair, for Harold and Frank Hirata, Walter Kawai, Ichiro Masaki, S. Masaki, Sam and Tom Miyadi, Kikhi J. and Yoshio R. Namba, Toshio Uchigoshi, Jimmie A. Ushijima, Masao Yamanaka, Y. Yukihiro, James M. Hasegawa, Carl H. Kawamoto, Bill Ikemoto, Jack and Ray Lopez, James S. Masuda, H. and S. Nomura, Jim Nakatani, Kawashi Okumura, George S. Sugimota, Hisao Hiji, Bill and Herbert Yokoyama, applicants and respondents, and for Los Angeles Local Produce Truckers Association, interested party.
- H. J. Bischoff, for Southern California Freight Lines and Southern California Freight Forwarders, respondents.
- Arlo D. Poe and J. C. Kaspar, for Motor Truck Association of California, interested party.
- R. D. Boynton, for Truck Owners' Association of California, interested party.
- Edson Abel, for Los Angeles County Farm Bureau and for California Farm Bureau Federation, interested parties.
- Robert C. Neill and James C. Uhler, for Sunkist Growers, Inc. interested party.
- G. L. Malquist and Norman Haley of the staff of the Public Utilities Commission of the State of California.

APPENDIX "1" TO DECISION NO 50556

Revised Pages to Minimum Rate Tariff No. 8
Authorized by Said Decision.

First Revised Title Page cancels Original Title Page
Tenth Revised Page 2 cancels Ninth Revised Page 2
Third Revised Page 3 cancels Second Revised Page 3
Fifth Revised Page 4 cancels Fourth Revised Page 4
Sixth Revised Page 6 cancels Fifth Revised Page 6
First Revised Page 18 cancels Original Page 18
First Revised Page 28 cancels Original Page 28
Fifth Revised Page 37 cancels Fourth Revised Page 37
Third Revised Page 38 cancels Second Revised Page 38
Second Revised Page 39 cancels First Revised Page 39
Second Revised Page 40 cancels First Revised Page 40
Second Revised Page 41 cancels First Revised Page 41

*MINIMUM RATE TARIFF NO. 8

(Formerly Highway Carriers' Tariff No. 8)

Naming

Minimum Rates, Rules and Regulations

for

Transportation of Fresh Fruits, Fresh Vegetables

and Empty Containers Over the Public Highways

Between Points in the State of California

As Described Herein

by

CITY CARRIERS

RADIAL HIGHWAY COLLECTOR CARRIERS

and

HIGHWAY CONTRACT CARRIERS

*Important Notice

Reference in this or other tariffs to Highway Carriers' Tariff No. 8 shall be construed as referring to Minimum Rate Tariff No. 8.

*The tariff contains rates, rules and regulations established by Decision No. 33977, as amended, in Case No. 4293. Changes contained in subsequent orders will be made by reissuing the pages on which the changes occur or by issuing supplements showing the corrected items.

* Change)
// Addition) Decision No. 50556

EFFECTIVE OCTOBER 15, 1954
(Original Tariff effective May 1, 1941)

Correction No. 166

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California

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EFFECTIVE OCTOBER 15, 1954	
Issued by the Public Utilities Commission of the State of California, San Francisco, California.	
Correction No. 155	

ARRANGEMENT OF TARIFF

This is a loose-leaf tariff consisting of five sections.

SECTION NO. 1 contains rules and regulations.

SECTION NO. 2 contains commodity rates.

*SECTION NO. 3 contains special terminal rates.

SECTION NO. 4 contains routings applicable in connection with rates in Section No. 2.

SECTION NO. 5 contains form of shipping document.

* Change, Decision No. 50556

EFFECTIVE OCTOBER 15, 1954

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

Correction No. 156

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION
*10-E Cancels 10-D	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11)</p> <p>(a) ***</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; and any interstate or foreign rate of any common carrier railroad or railroads applying between points in California in effect at time of shipment and covering transportation exempt from rate regulation of the Interstate Commerce Commission under Section 203(b)(6) of Part II of the Interstate Commerce Act.</p> <p>(c-1) CONTAINER ICING means placing ice within the package with the fruit or vegetable shipped.</p> <p>#(c-2) DISTANCE TABLE means Distance Table No. 4.</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.</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> <p style="text-align: center;">(Continued in Item No. 11)</p>

*** Definition of carrier canceled, See Item No. 20.
* Change)
Addition) Decision No. 50556

EFFECTIVE OCTOBER 15, 1954

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

Correction No. 157

Cancels

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
20-B Cancels 20-A	<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 (See Note 1), 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>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> <p>#NOTE 1: This tariff applies to transportation by City Carriers only as specified in Section No. 3 hereof.</p>
30-F Cancels 30-E	<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.</p> <p>(d) Shipments having both point of origin and point of destination within the Los Angeles Drayage Area, as described in Minimum Rate Tariff No. 5. This exception does not apply as to Section No. 3.</p>
* Change # Addition) Decision No. 50556
EFFECTIVE OCTOBER 15, 1954	
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 158</p>	

Item No.	SECTION NO. 1-RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
*200-A Cancels 200	<p style="text-align: center;">APPLICATION OF COMBINATIONS OF RATES</p> <p>In the event two or more rates are named in this tariff for the same transportation, the lower rate shall apply. In the event a combination of rates makes a lower aggregate through rate or charge than a single rate, such lower combination of rates shall apply.</p>
210	<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>(a) Common carrier rates, except rates of coastwise common carriers by vessel, may be applied in lieu of the rates provided in this tariff, when such common carrier rates produce a lower aggregate charge for the same transportation between the same point of origin and the same point of destination than results from the application of the rates herein provided.</p> <p>(b) Team track-to-team track rates of common carriers by railroad may be applied in lieu of the rates provided in this tariff, in connection with transportation between established depots in the same cities or unincorporated communities in which such team tracks are located, when such team track-to-team track rates produce a lower aggregate charge than results from the application of the rates provided in this tariff for depot-to-depot movements.</p>
#215	<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>
<p style="text-align: center;">* Change) # Addition) Decision No 50556</p>	
<p>EFFECTIVE OCTOBER 15, 1954</p>	
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 159</p>	

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MINIMUM RATE TARIFF NO. 8

SECTION NO. 2

COMMODITY RATES

For Description of Routings Applicable in Connection
With Rates Contained in This Section See
Section No. 4 of This Tariff

If the Charge Accruing Under Section No. 3 of This
Tariff is Lower Than the Charge Accruing Under
This Section on the Same Shipment Between
the Same Points, the Charge Accruing
Under Section No. 3 Will Apply.

Addition, Decision No. 50556

EFFECTIVE OCTOBER 15, 1954

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

Correction No. 160

Fifth Revised Page 37
Cancels
Fourth Revised Page 37

MINIMUM RATE TARIFF NO. 8

SECTION NO. 3

SPECIAL TERMINAL RATES

Applicable on Shipments
Transported to the Los Angeles Markets

Addition, Decision No. 50556

EFFECTIVE OCTOBER 15, 1954

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 161

Item No.	SECTION NO. 3 - #SPECIAL TERMINAL RATES
#405	<p style="text-align: center;">APPLICATION OF RATES</p> <p>Except as otherwise provided, rates in this Section are subject to the rules in Section No. 1.</p> <p>Rates in Section No. 3 apply for the transportation of commodities specified in Item No. 40 from Los Angeles Local Produce Territory as described in Item No. 425 to the Los Angeles Market Area as described in Item No. 430, and for empty containers as described in Item No. 40 in the reverse direction.</p> <p>Rates in Item No. 450 do not apply on shipments to points not located within the Los Angeles Market Area.</p> <p>Rates in Section No. 3 apply to transportation by City Carriers, Radial Highway Common Carriers and Highway Contract Carriers.</p> <p>If the charge accruing under Section No. 2 of this tariff or Minimum Rate Tariff No. 5 is lower than the charge accruing under this section on the same shipment between the same points, the charge accruing under Section No. 2 or Minimum Rate Tariff No. 5 will apply.</p>
#415	<p style="text-align: center;">UNITS OF MEASUREMENT IN QUOTATION OF RATES AND CHARGES (Exception to Item No. 65)</p> <p>Rates or accessorial charges may be quoted or assessed by carriers based upon a unit of measurement different from that in which the minimum rates and charges in Section No. 3 are stated provided:</p> <p>(1) The freight charges assessed are not less than those which would have been assessed had the rates and accessorial charges stated in this section been applied; and</p> <p>(2) That the carrier's shipping documents contain all the information necessary to compute the freight charges on the basis of the unit of measurement provided in this section.</p>
# Addition, Decision No. 50556	
EFFECTIVE OCTOBER 15, 1954	
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 162</p>	

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MINIMUM RATE TARIFF NO. 8

Item No.	SECTION NO.3--#SPECIAL TERMINAL RATES
#420	<p data-bbox="629 443 1158 512">EMPTY CONTAINERS (As described in Item No. 40)</p> <p data-bbox="459 573 992 606">Rates in Section No. 2 apply.</p> <p data-bbox="332 637 1364 766">If the charges in Minimum Rate Tariff No. 5 are lower than the charges in Section 2 on the same shipment between the same points, the charges in Minimum Rate Tariff No. 5 will apply.</p>
<p data-bbox="365 886 968 950"># Addition, Decision No. 50556</p>	
<p data-bbox="926 1989 1409 2023">EFFECTIVE OCTOBER 15, 1954</p>	
<p data-bbox="189 2040 1438 2104">Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p data-bbox="173 2099 502 2132">Correction No. 163</p>	

Item No.	SECTION NO. 3 - #SPECIAL TERMINAL RATES
#425	<p style="text-align: center;">TERRITORIAL DESCRIPTIONS</p> <p>LOS ANGELES LOCAL PRODUCE TERRITORY includes that area embraced by the following boundary: Beginning at the point where the Ventura County - Los Angeles County boundary line meets the Pacific Ocean; thence northeasterly along said boundary line to State Highway 118; easterly and northeasterly along State Highway 118 through and including the City of San Fernando, continuing northeasterly and southeasterly along State Highway 118 to and including the City of Pasadena; easterly along U.S. Highway 66 to the Los Angeles County - San Bernardino County boundary line; southwesterly along said boundary line to the Orange County Line; southeasterly and southwesterly along the Orange County Line to the point where the Orange County - San Diego County boundary line meets the Pacific Ocean; northwesterly along the shore line of the Pacific Ocean to the point of beginning.</p>
#430	<p>LOS ANGELES MARKET AREA includes all of Los Angeles Zones 1 and 12 as described in the distance table, and that territory embraced by the following boundary: Beginning at the point where State Highway 15 intersects the northern boundary of Zone 1 (at Hubbard Avenue) thence northerly along State Highway 15 to Ramona Boulevard, thence westerly along Ramona Boulevard to the eastern boundary of Zone 1, thence westerly, southerly and easterly along said boundary to point of beginning.</p>
# Addition, Decision No. 50556	
EFFECTIVE OCTOBER 15, 1954	
Issued by the Public Utilities Commission of the State of California, San Francisco, California.	
Correction No. 164	

Item No.	SECTION NO. 3 - SPECIAL TERMINAL RATES (In Cents Per 100 Pounds)						
	For Application of Rates, see Items Nos. 405 to 430, inclusive.						
#450	FRUITS AND VEGETABLES, INCLUDING MUSHROOMS, as described in Item No. 40.						
	FROM: LOS ANGELES LOCAL PRODUCE TERRITORY, as described in Item No. 425.						
	TO: LOS ANGELES MARKET AREA, as described in Item No. 430.						
	<u>RATES</u>		<u>MINIMUM WEIGHT</u>				
Over	But Not Over	Any Quantity	2,000 Pounds	4,000 Pounds	10,000 Pounds	18,000 Pounds	
0	20	38	31	28	25	22	
20	40	42	34	31	28	25	
40		48	40	37	34	31	

Addition, Decision No. 50556

EFFECTIVE OCTOBER 15, 1954

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 165

APPENDIX "2" TO DECISION NO 50556

Revised Pages to Minimum Rate Tariff No. 5
Authorized by Said Decision.

Fourth Revised Title Page cancels Third Revised Title Page

Third Revised Page 2 cancels Second Revised Page 2

Ninth Revised Page 16 cancels Eighth Revised Page 16

*MINIMUM RATE TARIFF NO. 5

(Formerly City Carriers' Tariff No. 4 -
Highway Carriers' Tariff No. 5)

Naming

Minimum Rates, Rules and Regulations
of General Application

for the

Transportation of Property Over the
Public Highways Within

Defined Territory in Los Angeles County

and

Minimum Vehicle Unit Rates, Rules and Regulations
Applicable Under Specified Conditions

for

Transportation Within Los Angeles and Orange Counties

by

CITY CARRIERS

RADIAL HIGHWAY COMMON CARRIERS

and

HIGHWAY CONTRACT CARRIERS

*Important Notice

Reference in this or other tariffs to City Carriers' Tariff No. 4 -
Highway Carriers' Tariff No. 5 shall be construed as referring to Minimum
Rate Tariff No. 5.

The tariff contains rates, rules and regulations established by Deci-
sion No. 32504, as amended, in Case No. 4121. Changes contained in subse-
quent orders will be made by reissuing the pages on which the changes occur
or by issuing supplements showing the corrected items.

* Change, Decision No. 50556

EFFECTIVE OCTOBER 15, 1954
(Original Tariff effective January 1, 1940)

Correction No. 182

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California

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# Addition, Decision No. 50556	
EFFECTIVE OCTOBER 15, 1954	
Issued by the Public Utilities Commission of the State of California, San Francisco, California.	
Correction No. 183	

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)																				
*100-C Cancels 100-B	<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates provided in this tariff are for the transportation of shipments, as defined in Items Nos. 10(i) and 11(j) from point of origin to point of destination, and include loading into and unloading from the carrier's equipment, subject to Note 1.</p> <p>NOTE 1.-When shipment is picked up at or delivered to a point not at street level, and no vehicular elevator service or vehicular ramp is provided and made available to the carrier, an additional charge of 5½ cents per 100 pounds, minimum additional charge 27 cents per shipment, shall be assessed for the service of handling shipment beyond carrier's equipment; except that no additional charge shall be made for this service in connection with shipments weighing less than 100 pounds.</p> <p>#If the rates for the transportation of fresh fruits and vegetables and empty containers provided for in Section No.3 of Minimum Rate Tariff No. 8 are lower than those named in this tariff for the same transportation, such lower rates will apply.</p>																				
110-H Cancels 110-G	<p style="text-align: center;">ACCESSORIAL CHARGES</p> <p>An additional charge at the rate of \$3.20 per man per hour, minimum charge \$1.60, shall be made for stacking, sorting or any other accessorial or incidental service which is not authorized to be performed under the rates named in this tariff and for which a charge is not otherwise provided.</p>																				
120-G Cancels 120-F	<p style="text-align: center;">MINIMUM CHARGE</p> <p>Except as otherwise provided the minimum charge per shipment shall be as follows:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="2" style="text-align: center;"><u>Weight of shipment (in pounds)</u></th> <th rowspan="2" style="text-align: center;"><u>Charge (in cents)</u></th> </tr> <tr> <th style="text-align: center;"><u>Over</u></th> <th style="text-align: center;"><u>But Not Over</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0</td> <td style="text-align: center;">25</td> <td style="text-align: center;">61</td> </tr> <tr> <td style="text-align: center;">25</td> <td style="text-align: center;">50</td> <td style="text-align: center;">76</td> </tr> <tr> <td style="text-align: center;">50</td> <td style="text-align: center;">75</td> <td style="text-align: center;">90</td> </tr> <tr> <td style="text-align: center;">75</td> <td style="text-align: center;">100</td> <td style="text-align: center;">109</td> </tr> <tr> <td style="text-align: center;">100</td> <td style="text-align: center;">-</td> <td style="text-align: center;">123</td> </tr> </tbody> </table>	<u>Weight of shipment (in pounds)</u>		<u>Charge (in cents)</u>	<u>Over</u>	<u>But Not Over</u>	0	25	61	25	50	76	50	75	90	75	100	109	100	-	123
<u>Weight of shipment (in pounds)</u>		<u>Charge (in cents)</u>																			
<u>Over</u>	<u>But Not Over</u>																				
0	25	61																			
25	50	76																			
50	75	90																			
75	100	109																			
100	-	123																			

REFERENCES TO ITEMS AND OTHER TARIFFS

#125

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.

* Change)
Addition) Decision No. 50556

EFFECTIVE OCTOBER 15, 1954

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Correction No. 184