

Decision No. 50782

**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 general commodities (commodities for )  
which rates are provided in Minimum )  
Rate Tariff No. 2).

Case No. 5432  
(Petition No. 44)

SUPPLEMENTAL OPINION AND ORDER

By Petition for Modification No. 44, filed in this proceeding on August 16, 1954, American Transfer Co. and 18 other highway carriers requested the establishment of a new minimum rate tariff naming rates, rules and regulations for the transportation of dried fruit. The provisions then proposed would differ substantially from those now provided for the same transportation in Minimum Rate Tariff No. 2. An amendment to the petition was filed on November 12, 1954, modifying the original request to propose that the new tariff would reproduce the applicable rates, rules and regulations in Minimum Rate Tariff No. 2 with one exception. This exception would provide for the split delivery of component parts of shipments destined to different steamship piers at certain ports when moving under alternative common carrier rates.

The Dried Fruit Association of California, through an exhibit attached to and made a part of the verified petition, states that it is very important to the dried fruit industry that a suitable split delivery arrangement be made available for the highly concentrated truck-load movements to the different piers and terminals at the ports. The Association declares that competitive conditions in the industry require the arrangement herein proposed. Petitioners and the Dried Fruit

*added*  
*added*  
✓  
✓

C. 5432-VB\*

Association request the earliest possible action in affording the relief sought. They state that the industry is immediately confronted with the shipment of this season's dried fruit crop.

Interested parties have been furnished with a copy of the petition, as amended, and have offered no objection to its being granted.

In the circumstances it appears that the sought rate relief is justified. Because of the urgency of the rate situation, and because the mechanics of promulgating a new tariff covering the movement of dried fruit would unavoidably delay the granting of the needed relief, the provisions of Minimum Rate Tariff No. 2 will be amended at once to establish the split-delivery exception considered necessary for the industry. The tariff changes will be made effective December 15, 1954, the earliest date which will allow for notification to interested parties.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Minimum Rate Tariff No. 2 (Appendix "D" to Decision No. 31606 as amended) be and it is hereby further amended by incorporating therein, to become effective December 15, 1954, Eleventh Revised Page 26 Cancels Tenth Revised Page 26, which revised page is attached hereto and by this reference made a part hereof. ✓

(2) That tariff publications required or authorized to be made by common carriers as a result of this order may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effectiveness of the tariff changes herein involved.

(3) That in all other respects the aforesaid Decision No. 31606, 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 23rd day of November, 1954.

John E. White  
President  
James F. O'Connell  
James Higgins  
Roy G. Lutz

Commissioners

Item  
No.SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL  
APPLICATION (Continued)ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER  
RATES

In the event under the provisions of Items Nos. 200 to 230, inclusive, a rate of a common carrier is used in constructing a rate for highway transportation, and such rate does not include accessorial services performed by the highway carrier the following charges for such accessorial services shall be added (except as otherwise provided in connection with individual rates):

- (1) For tailgate loading or tailgate unloading - no additional charge (See Notes 1, 3, 4 and 5);
- (2) For loading or unloading other than tailgate loading or tailgate unloading - 3 cents per 100 pounds. (See Notes 2 and 5);
- (3) For C.O.D. service - charges provided in Item No. 180;
- (4) For other accessorial services - charges provided in Item No. 145;
- o (5) Split pickup or split delivery shall not be accorded unless included in the common carrier rate (See Items Nos. 220 and 230 for exception), except that, on shipments of dried fruit, split delivery may be accorded when all component parts of the shipment are destined to:
  - (a) One or more piers at San Francisco only, or
  - (b) One or more piers at Alameda, Oakland and/or Richmond, or
  - (c) One or more piers at Stockton only,
 subject to the additional charges provided in Note 1 of Item No. 170.

\*240-H  
Cancels  
240-G

Note 1.-When shipments consisting in whole or in part of Oil, Water or Gas Well Outfits and supplies, and other Articles, as described in Item No. 365, moving between points located in Los Angeles and Orange Counties on the one hand and points located in California, Salinas, Fresno and south thereof, on the other hand, are transported:

- (a) Under the provisions of Item No. 200, a charge of 3 cents per 100 pounds shall be added for tailgate loading, and a charge of 3 cents per 100 pounds shall be added for tailgate unloading;
- (b) Under the provisions of Paragraph (a) of Item No. 210, a charge of 3 cents per 100 pounds shall be added for tailgate unloading;
- (c) Under the provisions of Paragraph (b) of Item No. 210, a charge of 3 cents per 100 pounds shall be added for tailgate loading;
- (d) Under the provisions of Paragraph (c) of Item No. 210, no additional charge shall be added for tailgate loading or tailgate unloading;

Note 2.-For loading or unloading other than tailgate loading or tailgate unloading of Lumber and Forest Products as described in Item No. 660 or of hay and related articles as described in Items Nos. 657 and 658, the charge will be 2 cents per 100 pounds.

Note 3.-When shipments consisting in whole or in part of Liquors, alcoholic, N.O.I.B.N., as described under that heading in the Western Classification, moving between San Francisco Territory and Los Angeles Territory are transported:

(a) Under the provisions of Item No. 200 a charge of 2½ cents per 100 pounds shall be added for tailgate loading, and a charge of 2 cents per 100 pounds for tailgate unloading;

(b) Under the provisions of Paragraph (a) of Item No. 210, a charge of 2 cents per 100 pounds shall be added for tailgate unloading;

(c) Under the provisions of Paragraph (b) of Item No. 210, a charge of 2½ cents per 100 pounds shall be added for tailgate loading;

(d) Under the provisions of Paragraph (c) of Item No. 210, no additional charge shall be added for tailgate loading or tailgate unloading.

Note 4.-For tailgate loading or tailgate unloading of cement, Portland (building), a charge of 2 cents per 100 pounds shall be added.

Note 5.-For pickup or delivery service at a point not at street level and where the minimum weight is less than 10,000 pounds, the tailgate loading or unloading provisions of this item will not apply and the additional charge provided in Item No. 120 will apply.

\*Change )  
@Reduction) Decision No. 50782

EFFECTIVE DECEMBER 15, 1954

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

Correction No. 641