

ORIGINAL

Decision No. 51479

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 in Los Angeles and Orange)
Counties (transportation for which rates)
are provided in Minimum Rate Tariff)
No. 5).

Case No. 5435

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 51049 of January 25, 1955, in Case No. 5604, certain transportation of vehicles by tow car operators was exempted from the rates in Minimum Rate Tariff No. 12.¹ This was done because the rates named therein were not designed nor suitable for such transportation.

The Los Angeles drayage tariff (Minimum Rate Tariff No. 5) exempts the transportation of motor vehicles for which rates are named in Minimum Rate Tariff No. 12. It has been brought to the Commission's attention that the minimum rates in the drayage tariff may now be construed to apply to the towing recently exempted from Tariff No. 12. Minimum Rate Tariff No. 5 will be amended to make the exclusion therein clear and definite. A public hearing is not deemed necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Minimum Rate Tariff No. 5 (Appendix "A" to Decision No. 32504 as amended) be and it is hereby further amended by incorporating therein, to become effective June 1, 1955,

¹ Minimum Rate Tariff No. 12 names minimum rates, rules and regulations for the transportation of motor vehicles in secondary movements by truckaway service.

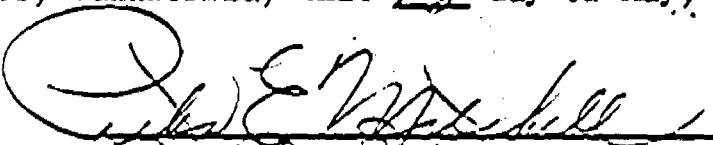
Fourth Revised Page 8 Cancels Third Revised Page 8 and Seventeenth Revised Page 13 Cancels Sixteenth Revised Page 13 and Fifteenth Revised Page 13, which pages are attached hereto and by this reference made a part hereof.

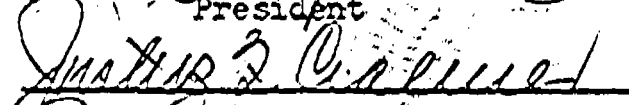
(2) That tariff publications authorized to be made by common carriers as a result of the order herein may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effectiveness of the tariff changes herein involved.

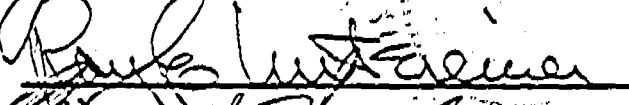
(3) That in all other respects said Decision No. 32504, as amended, shall remain in full force and effect.

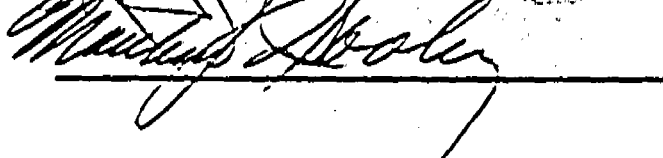
This order shall become effective June 1, 1955.

Dated at Los Angeles, California, this 16th day of May, 1955.



President






Commissioners

| Item No. | SECTION NO. 1-RULES AND REGULATIONS OF GENERAL APPLICATION (Continued) |
|---|--|
| <p>*11-D Cancels 11-C</p> | <p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11)</p> <p>(j) SPLIT DELIVERY SHIPMENT means a shipment consisting of several component parts delivered to (a) one consignee at more than one point of destination, or (b) more than one consignee at one or more points of destination, the composite shipment weighing (or transportation charges computed upon a weight of) not less than 4,000 pounds, said shipment being shipped by one consignor at one point of origin and charges thereon being paid by the consignor when there is more than one consignee.</p> <p>#(j-a) TOW CAR means a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing or is otherwise exclusively used to render assistance to other vehicles.</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> |
| <p>20-A Cancels 20</p> | <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, 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> |
| <p>* Change) # Addition) Decision No. 51479</p> | |
| <p style="text-align: right;">EFFECTIVE JUNE 1, 1955</p> | |
| <p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 193</p> | |

Cancels

and

| Item No. | SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued) |
|---|--|
| #40-P Cancels 40-C and 40-N | APPLICATION OF TARIFF-COMMODITIES |
| | <p>Rates in this tariff apply for the transportation of all commodities except the following:</p> <p>Accessories and Supplies, motion picture, Automobiles, Automobile parts, accessories, and related articles in secondary movement by truckaway service when subject to the rates, rules and regulations set forth in Minimum Rate Tariff No. 12, Baggage, viz.: personal baggage and baggage containing sample merchandise, transported from or to a depot, dock or other point where passengers are discharged or received by common carriers, Buttermilk, in milk shipping cans or in bottles in cases or crates, Carriers (used packages), empty, returning from an outbound paying load, or being forwarded for a return paying load of traffic for which rates are not provided in this tariff (Subject to Rule No. 180 of the Exception Sheet), Cement, hydraulic, masonry, natural or Portland—also lime, common (including magnesium lime, hydrated or hydraulic lime, quick or slaked), cement flue dust, and/or limestone, powdered, shipped in mixed shipments with cement—when transported in shipments of 40,000 pounds or more, or when transported in shipments of lesser weights subject to the rates, rules and regulations, including the minimum charge computed on a minimum weight of 40,000 pounds, which are set forth in Minimum Rate Tariff No. 10, Cement, Portland (building), when transported in bulk, Commodities weighing 100 pounds or less per package or per piece, delivered from retail stores, Commodities transported in bulk in tank trucks, tank trailers, tank semi-trailers, or a combination of such highway vehicles, Commodities picked up or delivered for common carriers as defined in the Public Utilities Act, or for radial highway common or highway contract carriers as defined in the Highway Carriers' Act, when the property is in the custody of such carriers for transportation from or to points not included in the zones described in Items Nos. 30, 31, 32 and 33, under rates which include pickup or delivery at points within the said zones, Commodities when transported in dump trucks, for which rates are provided in Minimum Rate Tariff No. 7, Commodities which consist of or contain materials essential to National Defense and which have been donated to and are transported for the United States Government, governmental agencies, or nonprofit organizations acting for or in behalf of said government in the collection, assembly or transportation of said commodities in connection with the recovery of said essential materials from the commodities transported, Concrete transported in motor vehicles equipped for mechanical mixing in transit, Cream, in milk shipping cans or in bottles in cases or crates, Directories; telephone, Fertilizers, as described in Items Nos. 535, 540 and 550 of the Exception Sheet, Film, motion picture, Fruit, fresh or green (not cold pack nor frozen), Furniture, household appliances and other home furnishings, transported from retail stores where they have been sold at retail by a retail merchant, or transported from retail customers to retail stores,</p> |

Jewelry transported from or to wholesale houses in packages weighing 10 pounds or less,
 Livestock,
 Milk, in milk shipping cans or in bottles in cases or crates,
 //Motor vehicles when towed by a tow car,
 Newspapers; newspaper supplements, sections or inserts; (not scrap or waste),
 Optical goods transported from or to wholesale houses in packages weighing 10 pounds or less,
 Property transported to a United States Post Office for mailing, United States mail transported from a post office to the addressee thereof, and United States mail transported for the Post Office Department under contract,
 Property shipped to or from producers of motion pictures or television shows when transported subject to the rates, rules and regulations provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended,
 Used Property, viz.: household goods, office and store fixtures and equipment, as described in and for which rates are provided in Minimum Rate Tariff No. 4-A, and used property as described therein transported for the United States, state, county or municipal governments;
 //Vegetables, fresh or green (not cold pack nor frozen),
 Voting Booths, ballot boxes, election tents and election supplies when transported from or to polling places.

* Change)
 # Addition) Decision No. 51479

EFFECTIVE JUNE 1, 1955

Issued by the Public Utilities Commission of the State of California;
 San Francisco, California.
 Correction No. 154