C-5439-EO

## ORIGINAL

## Decision No. <u>51480</u>

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 within San Diego County (transportation for which rates are provided in City Carriers' Tariff No. 7-Highway Carriers' Tariff No. 9).

Case No. 5439

## 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. This was done because the rates named therein were not designed nor suitable for such transportation.

The San Diego drayage tariff (City Carriers' Tariff No. 7-Highway Carriers' Tariff No. 9) 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. City Carriers' Tariff No. 7-Highway Carriers' Tariff No. 9 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 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, to become

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

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effective June 1, 1955, Second Revised Page 6 Cancels First Revised Page 6 and Sixth Revised Page 9 Cancels Fifth Revised Page 9, 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. 35055, as amended, shall remain in full force and effect.

This order shall become effective June 1, 1955.

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

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Commissioners

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Second Revised Page ... 6 Cancels CITY CARRIERS' TARIFF NO. 7 First Revised Page .... 6 HIGHWAY CARRIERS' TARIFF NO. 9 Item No. SECTION NO. 1 -- RULES AND REGULATIONS OF GENERAL APPLICATION (Continued) DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11 series) (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. \*11-B #(j-a) TOW CAR means a motor vehicle which has been Cancels altered or designed and equipped for and exclusively used 11-A in the business of towing or is otherwise exclusively used to render assistance to other vehicles. (k) VESTERN CLASSIFICATION means Western Classifica-tion No. 75, Cal. P.U.C.-W.C. No. 8 of C. H. Dumas, Agent, and supplements thereto or reissues thereof when the provisions of said supplements or reissues have been approved by the Commission. APPLICATION OF TARIFF--CARRIERS 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. 20-A Cancels Rates, rules and regulations named in this tariff 20 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. \*Change Decision No. 51480#Addition ) EFFECTIVE JUNE 1, 1955 Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 35 -6-

| Cancels CITY CARPERS: TARIFF NO. 7<br>New Borlsd Pose 9<br>HIGHWAY CARPERS: TARIFF NO. 9<br>No. APPLICATION NO. 1 - NULES AND RECULATIONS OF CENERAL<br>MAPPLICATION NO. 1 - NULES AND RECULATIONS OF CENERAL<br>MAPPLICATION (Continued)<br>APPLICATION (Continued)<br>APPLICATION (Continued)<br>APPLICATION OF TARIFF - CONMODITIES<br>Rates in this tariff apply for the transportation of all commodities<br>in secondary movement by truckary service whon subject to the<br>rates, rules and regulations set forth in Minimum Rate Tariff<br>No. 12, chandmonts thereto or reissues thereof.<br>Beggage,<br>Cenent, hydraulic, masonry, natural or Portland - also<br>line, common (including magnesium line, hydrated or<br>hydraulic line, quick or slabd), cenent flue dust,<br>and/or linestone, powdered, shipped in mixed shipments of<br>lesser weights subject to the rates, rules and regula-<br>tions, including the rates of the is forth in<br>Minimum Rate Tariff No. 10, amendments thereto or<br>reissues thereof.<br>Cennent, Portland (building), in bulk in dump trucks,<br>Commodities as described in and for which rates are<br>provided in Minimum Rate Tariff No. 7, amendments<br>thereto or reissues thereof, when said commodities<br>Are transported in dump trucks,<br>Commodities of abnormal size or weight which because of<br>such size or weight require the use of and are<br>thereto or reissues thereof, when said commodities<br>Are transported in dump trucks,<br>Commodities of abnormal size or monprofit organ-<br>izations acting for or in behalf of said government<br>in the collection, assembly or transportation of said<br>essential to National Defense and which hare been<br>conted ties transported in bulk in tark trucks, tark<br>trailers, tark semitral agencies or nonprofit organ-<br>izations acting for or in behalf of said government<br>in the collection, assembly or transportation of such<br>highway vehicles,<br>Commodities pickey un and delivery rates,<br>commodities the semitral serve for common carriers<br>under through pickup and delivery rates,  | ixth <sup>B</sup> | Revised                                | Page   | - 9   |  | 07 <b>0</b> 7   |  |   | ~   |
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| <ul> <li>SECTION NO. 1 - RULES AND REQUINTIONS OF GENERAL<br/>APPLICATION (Continued)</li> <li>APPLICATION (Continued)</li> <li>APPLICATION (Continued)</li> <li>APPLICATION (Continued)</li> <li>APPLICATION OF TARIFF - COMMODITIES</li> <li>Rates in this tariff apply for the transportation of all commodities<br/>in secondary movement by truckaway service when subject to the<br/>rates, rules and regulations set forth in Minimum Rate Tariff<br/>No. 12, anondments therefor or reissues thereof.</li> <li>Baggage,</li> <li>Comeant, hydraulic, macmonry, natural or Portland - also<br/>lime, common (including magnesium lime, hydratted or<br/>hydraulic lime, quick or slake), cement flue dust,<br/>and/or limestone, powdered, shipped in mixed shipments<br/>with cement - when transported in shipments of 40,000<br/>pounds or more, or whan transported in shipments of<br/>lesser weights subject to the rates, rules and regula-<br/>tions, including the minimum charge computed on a<br/>minimum weight of 40,000 pounds, which are set forth<br/>in Minimum Rate Tariff No. 10, amendments thereto or<br/>reissues thereof.</li> <li>Cemmedities as described in and for which rates are<br/>provided in Minimum Rate Tariff No. 7, amendments<br/>thereto or reissues thereof, when said commodities<br/>are transported in dump trucks,</li> <li>Commedities of abnormal size or weight which because of<br/>such size or weight require the use of and are<br/>thereto to reissues thereof, when said commedities<br/>are transported on low-bed trailers,</li> <li>Commedities of abnormal size or weight which because of<br/>uncels</li> <li>Commedities which consist of or contain materials<br/>essential to atto or in behalf of said government<br/>in the collection, assembly or transportation of said<br/>commedities transported in which have been<br/>donated to and are transported for the United States<br/>government, governmental agencies or nonprofit organ-<br/>izations acting for or in behalf of said government<br/>in the collection, assembly or transportation of said<br/>commedities firewise and treilers, or a combination of su</li></ul>   |                   |  |  | - 9   |  |   |  |   |   |
| APPLICATION OF TARIFY - COMMODITIES<br>Rates in this tariff apply for the transportation of all commodities<br>(automobiles, Automobile parts, accessories, and related articles<br>in secondary movement by truckaway service when subject to the<br>rates, rules and regulations set forth in Minimum Rate Tariff<br>No. 12, anondments therefor or reissues thereof.<br>Baggage,<br>Cement, hydraulic, masonry, natural or Portland - also<br>lime, common (including magnesium lime, hydrated or<br>hydraulic limes quick or slake), cement flue dust,<br>and/or limestone, powdered, shipped in mixed shipments<br>with cement - when transported in shipments of 40,000<br>pounds or more, or when transported in shipments of<br>lesser weights subject to the rates, rules and regula-<br>tions, including the minimum charge computed on a<br>minimum weight of 40,000 pounds, which are set forth<br>in Minimum Rate Tariff No. 10, amendments thereto or<br>reissues thereof.<br>Cement, Portland (building), in bulk in dump trucks,<br>Commodities as described in and for which rates are<br>provided in Minimum Rate Tariff No. 7, amendments<br>thereto or reissues thereof, when said commodities<br>are transported in dump trucks,<br>Commodities of abnormal size or weight which because of<br>such size or weight require the use of and are<br>transported on low-bed trailers,<br>Commodities of abnormal size or contain materials<br>essential to National Defense and which have been<br>donated to and are transported for the United States<br>government, governmental agencies or nonprofit organ-<br>izations acting for or in behalf of said government<br>in the collection, assembly or transported on faid<br>essential materials from the commodities transported,<br>commodities which consist of or the said congenite<br>formation acting for or in behalf of said government<br>in the collection, assembly or transported or said<br>essential materials from the commodities transported,<br>commodities transported in bulk in tark trucks, tank<br>trations deting for the out of said<br>essential materials from the common carriers<br>under through pickup an | tem               | نیور الا <u>ست اسرب</u> ماناما         |  | ON NC. 1 -  |  |   | OF CENERIJ   |   |   |
| Rates in this tariff apply for the transportation of all commoditie<br>except the following:<br>Automobiles, Automobile parts, accessories, and related articles<br>in secondary movement by truckway service when subject to the<br>rates, rules and regulations set forth in Minimum Rate Tariff<br>No. 12, amandments thereto or reissues thereof.<br>Baggags,<br>Cement, hydraulic, masonry, natural or Portland - also<br>line, common (including magnesium line, hydrated or<br>hydraulic line, quick or alake), cement flue dust,<br>and/or limestone, powdered, shipped in mixed shipments<br>with cement - when transported in shipments of<br>lesser weights subject to the rates, rules and regula-<br>tions, including therminimum charge computed on a<br>minimum weight of 40,000 pounds, which are set forth<br>in Minimum Rate Tariff No. 10, amendments thereto or<br>reissues thereof.<br>Commodities as described in and for which rates are<br>provided in Minimum Rate Tariff No. 7, amendments<br>thereto or reissues thereof, when said commodities<br>are transported in dump trucks,<br>Commodities of abnormal size or weight which because of<br>such size or weight require the use of and are<br>transported on low-bed trailers,<br>Commodities which consist of or contain materials<br>essential to National Defense and which have been<br>donated to and are transported for the United States<br>government, governmental agencies or nonprofit organ-<br>izations acting for or in behalf of said government<br>in the collection, assenby or transported,<br>Commodities transported in bulk in tank trucks, tank<br>trailers, tank semitrailers, or a combination of said<br>essential materials from the commodities transported,<br>Commodities the connection with the recovery of said<br>essential materials from the commodities transported,<br>Commodities transported in bulk in tank trucks, tank<br>trailers, tank semitrailers, or a combination of such<br>highway vehicles,<br>Commodities picked up and delivered for common carriers<br>under through picking and delivered for common carriers  | VO                |  |  |   |  |   |  |   |   |
| <ul> <li>Compositions, 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, anandments thereto or reissues thereof.</li> <li>Baggage,</li> <li>Cement, hydraulic, masonry, natural or Portland - also lime, common (including magnesium lime, hydrated or hydraulic lime, quick or slake), 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 1 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 himmum Rate Tariff No. 10, amendments thereto or reissues thereof.</li> <li>Cement, Fortland (building), in bulk in dump trucks, Commodities as described in and for which rates are provided in Minimum Rate Tariff No. 7, amendments thereto or reissues thereof, when said commodities are transported in dump trucks.</li> <li>40-F</li> <li>Commodities of abnormal size or weight which because of such size or weight require the use of and are transported on low-bed trailers.</li> <li>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, assenbly or transported, commodities transported in bulk in tank trucks, trailers, to commodities for contain action of such highway vehicles, or a combination of such highway vehicles, commodities transported in bulk in tank trucks, tank trailers, tank yeahicters, or a combination of such highway vehicles,</li> </ul>   |                   | í<br>I De                              | •<br>•   |   |  |   |  | , ·<br>• •  |   |
| Commodities transported as intercity shipments when point<br>of origin and point of destination are the carrier's<br>established depots,<br>Fresh or green fruits, fresh or green vegetables, or<br>mushrooms, when the point of destination of the shipment   | 40-F<br>ncels     | Co<br>Co<br>Co<br>Co<br>Co<br>Co<br>Co | the foll<br>intes in t<br>intes foll<br>intes, 2,<br>agenent, 12,<br>agenent, 12,<br>age | APPLICATIO<br>his tariff<br>owing:<br>os, Automobility movem<br>ules and r<br>amondments<br>hydraulic<br>common (1)<br>lic lime,<br>limestor<br>ement - v<br>or more,<br>weights<br>includim<br>n weights<br>includim<br>n weights<br>includim<br>n weights<br>includim<br>n weights<br>ansported<br>les as desorted<br>les of ab-<br>les find af<br>es transported<br>al to Na<br>al to Na<br>al to Na<br>al to Secon fru-<br>as descr | LICATION (Cont<br>N OF TARIFF -<br>apply for the<br>sent by truckay<br>egulations set<br>thereto or re-<br>thereto or set<br>or when transpo-<br>or when transpo-<br>of 40,000 pc<br>Tariff No.<br>of 40,000 pc<br>Tariff No.<br>of, (building),<br>scribed in set<br>in dump tra-<br>sues theree<br>in dump tra-<br>sues there<br>in for a set<br>in dump tra-<br>normal size<br>ight require<br>low-bed trai<br>consist of<br>tional Defen<br>are transpor<br>ernmental ag<br>for or in b<br>or trais from th<br>ported in bu<br>semitrailers<br>int of dest<br>is, fresh of<br>the point of the point of the point of<br>the point of the point | commod)<br>COMMODITI<br>transpor<br>essories,<br>my service<br>tforth in<br>elassium<br>lake), c<br>, shippe<br>rted in<br>ansporte<br>the rate<br>unds, w<br>lo, ame<br>in bulk<br>and for w<br>ariff No<br>f, when<br>ucks,<br>or weigh<br>the use<br>or conta<br>se and v<br>ted for<br>the is<br>or conta<br>se and v<br>ted for<br>the is<br>or conta<br>se and v<br>ted for<br>the transport<br>for which<br>i vered f<br>livery r<br>tercity<br>in ation<br>or green<br>f destin<br>, and for which<br>the use | ES<br>tation of<br>and relat<br>when sub<br>when sub<br>ercof.<br>or Portl<br>lime, hy<br>ement fl:<br>d in mix<br>shipment.<br>d in ship<br>ement fl:<br>d in mix<br>shipment.<br>d in ship<br>s, rules<br>o comput.<br>hich are<br>endments<br>in dump<br>which rate<br>of and<br>an mater<br>which hav<br>the Unit<br>of and<br>ain mater<br>which are<br>sportati<br>of and<br>affinet<br>ation of<br>sheat,<br>ith such<br>ation of<br>sheat, if<br>ation of<br>sheat, if | all common<br>ed article<br>beca to the<br>and - also<br>drated on<br>ue dust,<br>ed shipmed<br>sof 40,0<br>ments of<br>and regu<br>ed on a<br>sot fort<br>thereto<br>trucks,<br>tes are<br>modities<br>because<br>are<br>fils<br>to been<br>ed State<br>fit orga<br>vernment<br>of said<br>ansported<br>s, tank<br>on of suc<br>ansported<br>s, tank<br>on of suc<br>ansported<br>s, tank<br>on of suc<br>ansported<br>s, tank<br>on of suc<br>ansported<br>s, tank<br>on of suc | of<br>sof<br>sof<br>sila-<br>in<br>of<br>sn-<br>id<br>d,<br>ch<br>rs<br>sint<br>sof<br>sof<br>sid<br>d,<br>ch<br>rs<br>sint |
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| is a cannery, packing plant, packing shed, precooling<br>plant or processing plant; and empty containers used or<br>shipped out for use in connection with such transpor-<br>tation,<br>Livestock as described in and for which rates are provided   |                   |  | or reis:   | lmum Hat<br>Sues ther   | e Tariff<br>eof.   | No. 3, 4  | amendment  | are prov<br>ts theret   | ю<br>Та60   |
| shipped out for use in connection with such them more  |                   | "Pa:                                   | rcels de   | elivered  | from retail  | a tow c<br>stores   | ar.<br>(Parcel   | City Deli   | very)   |

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 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, Telephone directorics, 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, amendments thereto or reissues thereof, and used property as described therein transported for the United States, state, county or municipal governments,
 Voting Booths, ballot boxes, election tents, and election supplies when transported from or to polling places.
 \* Change, ) Decision No. 514SO EFFECTIVE # Addition
 Issued by the Public Utilities Commission of the State of California, San Francisco, California.

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