

ORIGINAL

Decision No. 51480

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 car-)
riers relating to the transportation of)
property within San Diego County (trans-)
portation 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. 12.¹ 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

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

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 16th day of May, 1955.

D. E. Mitchell
President
Justin S. Carver
Raulo Antero
William J. Kelly
Commissioners

Item No.	SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
*11-B Cancels 11-A	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11 series)</p> <p>(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.</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>
20-A Cancels 20	<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. 51480</p>	
EFFECTIVE JUNE 1, 1955	
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p>	
Correction No. 35	

Item No. SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)

APPLICATION OF TARIFF - COMMODITIES

Rates in this tariff apply for the transportation of all commodities except the following:

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, amendments thereto or reissues thereof.

Baggage,

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 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, amendments thereto or reissues thereof,

Cement, Portland (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,

Commodities of abnormal size or weight which because of such size or weight require the use of and are transported on low-bed trailers,

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,

Commodities transported in bulk in tank trucks, tank trailers, tank semitrailers, or a combination of such highway vehicles,

Commodities picked up and delivered for common carriers under through pickup and delivery rates,

Commodities transported as intercity shipments when point of origin and point of destination are the carrier's established depots,

Fresh or green fruits, fresh or green vegetables, or mushrooms, when the point of destination of the shipment is a cannery, packing plant, packing shed, precooling plant or processing plant; and empty containers used or shipped out for use in connection with such transportation,

Livestock as described in and for which rates are provided in Minimum Rate Tariff No. 3, amendments thereto or reissues thereof,

#Motor vehicles when towed by a tow car.

Parcels delivered from retail stores (Parcel City Delivery),

*40-F
Cancels
40-E

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 directories,

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,)
Addition) Decision No. 51480 EFFECTIVE

JUNE 1, 1955

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

Correction No. 36