

ORIGINALDecision No. 55394

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
 Petition for
 Modification No. 1

SUPPLEMENTAL OPINION AND ORDER

By petition for modification or rehearing, United Parcel Service has directed the Commission's attention to provisions of Minimum Rate Tariff No. 9-A and Classification No. 1 which are incompatible with current and standard practices of parcel carriers operating in the San Diego Drayage Area. The aforesaid tariff and classification, which were issued by the Commission in Decision No. 55256 become effective September 1, 1957.

Item 310 of the tariff prescribes a minimum charge of \$1.25 per day in connection with the use of parcel rates. This charge was established in order to prevent the undermining of the class rate structure from the misuse of the parcel rates. In Decision No. 55256, the Commission found that the going rates of parcel carriers operating in the area are reasonable and sufficient.

Item No. 195 of Classification No. 1 requires carriers using parcel rates to issue a freight bill showing the number of parcels and the weight thereof transported each day service is provided the shipper. According to the petition it is the practice of parcel carriers to assess a minimum charge on a weekly basis and the freight bills are prepared by the carriers by business machines designed to

compute charges on a weekly basis. It is averred that compliance with the present provisions of the tariff respecting issuance of shipping documents will be costly to the carriers and will slow down billing procedures.

Petitioner stated that additions to the present rules to allow the assessing of minimum charges and the listing of shipments on freight bills on a weekly basis as well as a daily basis will provide adequate safeguards against misuse of parcel rates without impairing streamlined billing methods and other standard methods and techniques developed by the parcel carriers.

It has come to the attention of the Commission that the minimum charge and the rule regarding the issuance of shipping documents in connection with transportation performed under parcel rates conflict with the going rates and prevailing practices of parcel carriers in the San Diego Drayage Area and therefore is inconsistent with the findings and intentions of the Commission in that regard.

It has also come to the attention of the Commission that the rule governing zone boundaries should be changed.

It appears that common carriers will not now have sufficient time to prepare and file the necessary tariffs so that they may become effective by September 1, 1957. Accordingly, common carriers will be authorized to defer establishment of their tariffs until September 15, 1957, and to make the filings on five days' notice.

Therefore, good cause appearing,

IT IS ORDERED that Minimum Rate Tariff No. 9-A (Appendix B of Decision No. 55256) is amended by incorporating therein to become effective September 1, 1957, First Revised Page 6 Cancels Original Page 6 and First Revised Page 24 Cancels Original Page 24, which revised pages are attached hereto and by this reference made a part hereof.

IT IS FURTHER ORDERED that Classification No. 1 (Appendix C of Decision No. 55256) is amended by incorporating therein, to become effective September 1, 1957, First Revised Page 38 Cancels Original Page 38, which revised page is attached hereto and by this reference made a part hereof.

IT IS FURTHER ORDERED that common carriers are hereby authorized to defer until a date not later than September 15, 1957, the establishment of tariffs pursuant to Decision No. 55256, and to make such tariffs effective on not less than five days' notice to the Commission and to the public.

In all other respects said Decision No. 55256 shall remain in full force and effect.

The effective date of this order shall be ten days after the date hereof.

Dated at San Francisco, California, this 19th day of August, 1957.

E. Mitchell
President

Walter D. ...

R. ...

E. ...

Commissioners

| SECTION NO. 1 - RULES AND REGULATIONS (Continued) | Item No. |
|---|---|
| <p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL (Items Nos. 30 through 38, inclusive)</p> <p>*Rates in this tariff apply for the transportation of shipments between points within the San Diego Drayage Area. The zones hereinafter described embrace all points of origin and destination within their respective boundaries. Where streets are used to define zone boundaries described below, the zones include both sides of the streets named. Where railway lines, rights of way, water courses or freeways are used to define the zone boundaries described below, the center line of such railway lines, rights of way, water courses or freeways will constitute the boundary line, except as otherwise specifically designated.</p> <p>Where the written description of an area, zone or territory conflicts with the map description of that same area, zone or territory, the written description will govern.</p> <p>The term "street" as used above will be synonymous with "avenue", "boulevard", "drive", "lane", "terrace", "road", or other designations thereof.</p> <p>Where the term "shore line", "ocean", or "bay" is employed as a boundary line, such boundary line shall be construed to embrace any pier or wharf extending into the adjacent body of water.</p> <p style="text-align: center;">ZONE 1</p> <p>Beginning at the intersection of Pacific Highway (U.S. Highway No. 101) with Camino Del Rio; thence southwesterly along Camino Del Rio and Rosecrans Street to Emerson Street; southeasterly along Emerson Street to San Diego Bay; easterly and southeasterly along the shore line and waterfront of San Diego Bay to the southerly boundary line of the City of National City; easterly along the southerly boundary line of the City of National City to L Avenue; northerly along L Avenue to 16th Street; easterly on 16th Street to Palm Avenue; northerly along Palm Avenue to Division Street; westerly along Division Street to 43rd Street; northerly along 43rd Street to National Avenue; westerly along National Avenue to Boundary Street (41st Street); northerly along Boundary Street and its prolongations to an intersection with Camino Del Rio; westerly along Camino Del Rio to point of beginning.</p> | <p style="text-align: center;">*30-A Cancels 30</p> |
| <p>*Change, Decision No. 55394</p> | |
| <p style="text-align: center;">EFFECTIVE AS SHOWN ON ORIGINAL TITLE PAGE</p> | |
| <p>Issued by the Public Utilities Commission of the State of California, Correction No. 2 San Francisco, California.</p> | |

| SECTION NO. 2 - RATE BASES, RATES AND CHARGES | | | | | | | Item No. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--------------|------------|-----|-----|-----|-----|-----------------------------------|--------|--|------------|--|--|--|--|------|--------------|---|---|---|---|---|---|----|-----|-----|-----|-----|-----|----|----|-----|-----|-----|-----|-----|----|----|-----|-----|-----|-----|-----|----|-----|-----|-----|-----|-----|-----|
| <p>PARCEL RATES</p> <p>FREIGHT, regardless of classification (Subject to Note 1),</p> <p>16 cents per package or piece, plus 2 cents for each pound or fraction thereof of its gross weight, subject to an additional service charge of \$2.00 per week.</p> <p>NOTE 1.—The consignor must elect in writing in advance to utilize the rate in this item for packages weighing 70 pounds or less tendered to the carrier during any calendar week.</p> | | | | | | | <p>*310-A Cancels 310</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>MINIMUM CHARGES (In Cents per Shipment)</p> <p>FREIGHT, regardless of classification:</p> <p>*Except as provided in Item No. 310, the minimum charge per shipment shall be as follows:</p> | | | | | | | <p>*320-A Cancels 320</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">POUNDS</th> <th colspan="5" style="text-align: center;">Rate Bases</th> </tr> <tr> <th style="text-align: center;">Over</th> <th style="text-align: center;">But not Over</th> <th style="text-align: center;">A</th> <th style="text-align: center;">B</th> <th style="text-align: center;">C</th> <th style="text-align: center;">D</th> <th style="text-align: center;">E</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0</td> <td style="text-align: center;">25</td> <td style="text-align: center;">125</td> <td style="text-align: center;">145</td> <td style="text-align: center;">165</td> <td style="text-align: center;">185</td> <td style="text-align: center;">205</td> </tr> <tr> <td style="text-align: center;">25</td> <td style="text-align: center;">50</td> <td style="text-align: center;">140</td> <td style="text-align: center;">160</td> <td style="text-align: center;">180</td> <td style="text-align: center;">200</td> <td style="text-align: center;">220</td> </tr> <tr> <td style="text-align: center;">50</td> <td style="text-align: center;">75</td> <td style="text-align: center;">165</td> <td style="text-align: center;">185</td> <td style="text-align: center;">205</td> <td style="text-align: center;">225</td> <td style="text-align: center;">245</td> </tr> <tr> <td style="text-align: center;">75</td> <td style="text-align: center;">100</td> <td style="text-align: center;">180</td> <td style="text-align: center;">200</td> <td style="text-align: center;">220</td> <td style="text-align: center;">240</td> <td style="text-align: center;">260</td> </tr> </tbody> </table> | | | | | | | | POUNDS | | Rate Bases | | | | | Over | But not Over | A | B | C | D | E | 0 | 25 | 125 | 145 | 165 | 185 | 205 | 25 | 50 | 140 | 160 | 180 | 200 | 220 | 50 | 75 | 165 | 185 | 205 | 225 | 245 | 75 | 100 | 180 | 200 | 220 | 240 | 260 |
| POUNDS | | Rate Bases | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Over | But not Over | A | B | C | D | E | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0 | 25 | 125 | 145 | 165 | 185 | 205 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 25 | 50 | 140 | 160 | 180 | 200 | 220 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 50 | 75 | 165 | 185 | 205 | 225 | 245 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 75 | 100 | 180 | 200 | 220 | 240 | 260 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>NOTE.—For shipments weighing over 100 pounds, minimum charges in Item No. 325 shall apply.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>* Change, Decision No. 55394</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>EFFECTIVE AS SHOWN ON ORIGINAL TITLE PAGE</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 1</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

SECTION NO. 1 - RULES AND REGULATIONS (Continued)

Item
No.

ISSUANCE OF SHIPPING DOCUMENTS (Continued)
(Items Nos. 190 and 195)

2. When transportation of property is performed under parcel rates, a freight bill or an invoice of charges shall be issued by the carrier to the shipper for a transaction period not to exceed 31 days. The document shall show the following information:

- (a) Date of issuance.
- (b) Name and address of shipper.
- (c) Point of origin of all shipments.
- (d) Point of destination or area in which shipments were delivered, e.g., San Diego Drayage Area.
- *(e) For each day during the transaction period the number of parcels and the weight thereof transported for the shipper (or, where a weekly service charge is applicable under the provisions of Item No. 310 of Minimum Rate Tariff No. 9-A, for each week.)
- *(f) The charges assessed for each day in which transportation was performed during the transaction period (or, where a weekly service charge is applicable under the provisions of Item No. 310 of Minimum Rate Tariff No. 9-A, for each week.)

3. When transportation is performed under vehicle equipment rates (hourly, weekly or monthly), a freight bill or an invoice of charges shall be issued by the carrier to the shipper for transportation performed for a transaction period not to exceed 31 days. The document shall show the following information:

- (a) Name and address of the shipper.
- (b) The transaction period provided for in the written agreement providing for transportation under vehicle equipment rates. (See Note 1.)
- (c) Base rate (hourly, weekly, monthly, excluding Saturdays, Sundays and holidays, etc.).
- (d) Charges due at the base rate.
- (e) Maximum mileage as provided for in written agreement.
- (f) Mileage in excess of maximum.
- (g) Rate for excess mileage and the charges due, if any.
- (h) Number of hours in excess of 8 hours per day as described in governing tariff.
- (i) Charges due, if any, for operation in excess of 8 hours per day.

*195-A
Cancels
195

NOTE 1. - When the governing tariff authorizes vehicle equipment rates to be assessed in the absence of a written agreement under particular circumstances, the particular circumstances relied upon by the carrier for the assessing of the vehicle equipment rates shall be shown on the document.

4. A copy of each freight bill and all underlying shipping documents, including shipping orders, manifests, agreements for transportation services, hand tags and weight certificates, shall be retained and preserved at a place in the State of California, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.

*Change, Decision No. 55394

EFFECTIVE AS SHOWN ON ORIGINAL TITLE PAGE

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

Correction No. 1