

ORIGINAL

Decision No. 55587

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 livestock and) related items (commodities for which) rates are provided in Minimum Rate) Tariff No. 3).)	Case No. 5433 Order Setting Hearing dated May 31, 1955 Petition No. 4, filed August 6, 1955 Order Setting Hearing dated August 29, 1956
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Arlo D. Poe and J. C. Kaspar, for California Trucking Associations, Inc., petitioners in Petition No. 4, and interested parties otherwise.

A. J. Batteate, Jr., for Batteate Livestock Transportation Co.; Glyn D. Britton, for Britton Livestock Transportation; Alvin Chanley, for Chanley Bros. Trucking Co.; David Garibaldi, Jr., for Garibaldi Bros. Trucking Co.; Ralph L. Hughes, for Ralph Hughes, Inc.; Don E. Keith, in propria persona; Ivo S. Keyser, for Sandercock Trucking Company; John Morosa, for Morosa Bros. Transportation; C. W. Scott, in propria persona; and Sonny Wills, for M & M Livestock Transportation Inc. of California, respondent carriers.

J. J. Deuel, Joseph Q. Joynt, and Bert Buzzini, for California Farm Bureau Federation, California Cattlemen's Association and California Cattle Feeders Association; C. W. Scott, for California Wool Growers Association and in propria persona; John O. Moran, for South San Francisco Union Stockyards and Stockton Union Stockyards; Knox Blasingame, in propria persona; A. D. Carleton in propria persona; L. W. Feldmiller, for Valley Livestock Marketing Association; William E. Hawkins, for California Cattlemen's Association; Neil L. Perkins, in propria persona; Harry Sample, in propria persona; Jack Shannon, in propria persona, and E. F. Forbes, for Western States Meat Packers Association, Inc., interested shippers or interested shipper organizations.

J. Quintrall, for Western Motor Tariff Bureau, interested party.

William C. Bricca, Grant L. Malouist, Marcel Gagnon and Arthur Mooney, for the staff of the Public Utilities Commission of the State of California.

O P I N I O N

These matters relate to the rates, rules and regulations which apply as minimum for the transportation of livestock by highway carriers within California. By Petition No. 4 in this proceeding the California Trucking Associations, Inc., allege in effect that various of the minimum rate provisions, as set forth in Minimum Rate Tariff No. 3, have become outmoded by changes in transportation conditions since the provisions were established, and that they should be revised to provide just, reasonable and non-discriminatory minimum rates for the transportation of livestock in the future.

Pursuant to this petition an interim order (Decision No. 52325, dated December 5, 1955) was issued after hearings, increasing the rates by 3 per cent pending completion of studies into the matters involved. On December 13 and 14, 1956, and on January 21, 1957, further hearings on the petition were held before Examiner C. S. Abernathy at San Francisco. Concurrently, and on a consolidated record, hearings were also held in response to the above-indicated Orders Setting Hearing on revisions in the minimum rates proposed by the Commission's Transportation Division. Evidence was submitted by members of the Commission's staff, by petitioner's director of research, and by witnesses called on behalf of the California Farm Bureau Federation and on behalf of the South San Francisco Union Stockyards and the Stockton Union Stockyards.

The evidence which was presented by members of the Commission's staff relates to problems arising out of the present regulations and to revisions which should be made therein for the future. According to testimony of one of the staff witnesses, a

senior transportation representative who stated that his duties include enforcement of the minimum rates, the tariff provisions designating the applicable minimum rates per unit of carriers' equipment and the rules for determining how weights of shipments should be determined are a particular source of difficulty and result in inequitable service demands upon the carriers. He suggested certain amendments in these regulations as a means of overcoming some of the difficulties. Evidence concerning the costs of transporting livestock by highway carriers was presented by a staff engineer who had conducted an extensive study of the operations involved. The engineer described in considerable detail the manner in which his study was developed and the factors considered in order to arrive at what he deemed as being the lowest reasonable costs of efficient carriers performing the service. Various revisions in the present provisions of Minimum Rate Tariff No. 3 were recommended by a rate expert of the Commission's staff to reflect current cost levels and other rate considerations. The witness stated that the proposed revisions had been developed after field investigation of the carriers' and shippers' practices, after numerous consultations with carriers, shippers, brokers, and others interested in the movement of livestock from ranch to market, and after consideration of the economic circumstances bearing on the transportation and marketing of livestock.

Evidence which was submitted on behalf of petitioner, on behalf of the California Farm Bureau Federation, and on behalf of the South San Francisco Union Stockyards and the Stockton Union Stockyards was directed primarily to the minimum rates, rules and regulations which were proposed by the Commission rate witness.

Recommendations and counterproposals were submitted by these parties pertaining to the level of the rates, the structure of the rates, and the method and conditions under which weights of shipments of livestock should be determined. Recommendations and counterproposals were also submitted in connection with other and miscellaneous revisions to Minimum Rate Tariff No. 3. The salient aspects of the principal recommendations of the Commission rate expert and of the other witnesses are set forth briefly below:

Level of the Rates

On the basis of the cost showing of the Commission engineer increases over the present minimum rates were recommended both by the Commission rate expert and by petitioners' director of research. Generally speaking, petitioners' witness proposed higher rates than did the rate expert. In certain respects the rate expert proposed rates which would not return "full" costs (the cost of the service exclusive of any provision for profit). These rates, he said, were designed to give recognition to the competition of proprietary carriage, particularly in connection with the transportation of less-truckload shipments for distances of 100 miles or less. The rate witness testified, furthermore, that the level of the rates which he proposed had been influenced (a) by the fact that at present the livestock industry is in a relatively depressed state economically and (b) by legislative directives contained in Section 726 of the Public Utilities Code.^{1/} He said that in the development of his

^{1/} It is the policy of the State in rate making to be pursued by the commission to establish such rates as will promote the freedom of movement by carriers of agricultural commodities, including livestock, at the lowest lawful rates compatible with the maintenance of adequate transportation service.

(Section 726, Public Utilities Code, first paragraph)

proposals his objective had been to arrive at rates which would recognize the cost data and which would still take into consideration present circumstances surrounding the production and the marketing of livestock.

Although the scale of rates which the Commission rate expert recommended assertedly would, as a whole, return the costs of the service, petitioners' director of research was of the view that because of the so-called "break-back" provisions of the tariff the rates recommended by the rate expert would, in actual application, fall short of returning costs.^{2/} The higher level of rates recommended by petitioners' witness reflect, in part, adjustments which he considered as necessary to compensate for the effect of "break-back". Furthermore, in the determination of his proposed rates, petitioners' witness modeled his proposals more closely to the costs developed by the Commission engineer. He did not propose reduced rates, as did the rate expert, to meet proprietary competition. His position in this respect was stated as follows:

"We cannot in good faith propose rates which, measured against the Commission's own engineer's study produced less than half the costs that are involved in the transportation."

Structure of the Rates

The present structure of the rates in Minimum Rate Tariff No. 3 provides rates for shipments falling within three weight

^{2/} The "break-back" provisions of the tariff permit the assessing of charges computed on a rate based upon a greater weight than that shipped when said charges are less than those resulting under the rate applicable to the actual weight of the shipment.

(Item No. 66, Minimum Rate Tariff No. 3)

groups, viz.: Less than 14,000 pounds; 14,000 pounds to 30,000 pounds; and 30,000 pounds and over.^{3/}

Discussing the form of the rate structure to be applied for the future, the rate witness stated that it appears from past experience that the present weight groups have proved satisfactory. He recommended retention of the present groups. On the other hand Petitioners' director of research urged that the existing rate structure be revised to provide weight groups as follows:

Cattle and Hogs

Any quantity to 10,000 pounds
10,000 pounds to 20,000 pounds
20,000 pounds to 30,000 pounds
30,000 pounds and over

Sheep

Any quantity to 10,000 pounds
10,000 pounds to 18,000 pounds
18,000 pounds to 25,000 pounds
25,000 pounds and over

In addition he recommended that the rates for shipments of cattle and hogs in quantities of 30,000 pounds or more and similar rates for shipments of sheep of 25,000 pounds or more be made subject to maximum weights equal to the amounts that may be transported on the highways in carriers' equipment operated with a single power unit.

Petitioners' witness said that the proposed weight brackets of 10,000 and 20,000 pounds for cattle and hogs and of 10,000 and 18,000 pounds for sheep have two objectives: (a) the establishment of rates which can more nearly approximate the costs of the services performed, and (b) the avoidance or reduction of certain difficulties which carriers now experience with shippers concerning the propriety of charges based on higher weights than those actually transported.

^{3/} These weight groups are those for cattle and hogs. Corresponding weight groups for sheep are (a) less than 12,000 pounds, (b) 12,000 pounds to 25,000 pounds and (c) 25,000 pounds and over.

He said that the proposed limitation on the maximum weights of shipments, together with the proposed minima, is intended to bring about the most economic utilization of carriers' equipment through the tender of shipments conforming to and not in excess of the maximum capacity of carriers' equipment.

Determination of Weights

Present rules of Minimum Rate Tariff No. 3 require that, with certain exceptions, weights of shipments, as determined by a public weighmaster, shall be used as the basis for computing transportation charges. According to the rate expert, the tariff provisions for determining weights have proved ambiguous in actual practice, particularly with respect to movements where, for one reason or another, the shipments have not been weighed by a public weighmaster. He recommended retention of the weighmaster requirements. However, for certain movements, such as those involving shipments of ten animals or less, or movements of livestock for 130 miles or less from pasture to pasture--instances in which the cost of weighing may be out of proportion to the transportation service performed or where weighmasters' scales may not be readily available--he recommended that shipping weights be computed on the basis of certain specified weights per animal.

Exceptions to these recommendations were taken by petitioners and by representatives of the California Farm Bureau Federation and of the South San Francisco Union Stockyards and the Stockton Union Stockyards. Opposition to the recommended requirements that shipments be weighed by public weighmasters was voiced by witnesses for the California Farm Bureau Federation on the grounds that the availability of public scales is not such that the proposed

requirements could be applied feasibly. The representative for the stockyards asserted that a recommended exemption from the weighing requirements which would apply to shipments to auction yards would be unduly discriminatory against public stockyards. This witness also opposed the use of weights as determined by a public weighmaster. He declared that weights at which livestock are sold should be used as the weights for computing transportation charges.

Petitioners' witness took exception to the exemption from the weighing recommendations which the Commission rate expert recommended in connection with pasture-to-pasture movements and movements to auction yards. He asserted that such exemptions tend to result in undue discrimination. He proposed that all shipments of more than 10 head of livestock be weighed on public weighmasters' scales except in instances where obtaining weights in this manner would be unreasonably burdensome or impracticable. He recommended that in the latter instances weights for transportation purposes be computed in accordance with specified weights per animal and that, furthermore, within seven days after date of shipment the carriers notify the Commission of the circumstances why weights by public weighmasters were not obtained.

Miscellaneous Recommendations and Proposals

In addition to the recommendations and proposals which they submitted in connection with the level of the rates, the structure of the rates and the determination of weights, petitioners' witness and/or the Commission rate expert also recommended other revisions in the minimum rate provisions dealing with loading and unloading services performed in connection with shipments transported at rail competitive rates, split pickup and delivery services,

accessorial services, shipments transported in multiple lots, and other matters of a miscellaneous nature. These several proposals will be considered and discussed subsequently, hereinbelow.

Discussion and Conclusions

The record in these matters is clear that since the establishment of the present provisions of Minimum Rate Tariff No. 3, circumstances affecting the transportation of livestock have changed materially and that the tariff should be revised to give effect to those changes. The form of the rate structure should be revised in the manner recommended by petitioners' witness to provide two rate scales between the "any quantity" and the "truckload" rate scales (instead of the single scale which applies at present). Such revisions will tend to eliminate certain problems inherent in the existing structure and will provide rates in closer alignment with the applicable costs. Also should be adopted the proposal of petitioners' witness to limit the application of truckload rates (rates subject to minimum weights of 30,000 pounds for cattle and hogs and 25,000 pounds for sheep) to shipments that may be transported within the carrying capacities of carriers' equipment. This limitation appears consistent with the most effective utilization of carriers' equipment and with transportation at minimum costs to the shippers.^{4/}

The level of the rates should be increased to compensate for increases in the costs of providing the service. However,

^{4/} In the adoption of this recommendation some modifications for purposes of tariff clarity will be made in the rule which petitioners' witness proposed.

the increases to be so made should not be as great as those which petitioners' witness proposed. Certain of his proposed rates are higher than those which may reasonably be established as the lowest lawful rates compatible with the maintenance of adequate service. Furthermore, it appears that in adjusting his proposed rates for the effect of "break-back", petitioners' witness gave little if any consideration to the distribution of the traffic within the weight groups and that as a consequence his adjustments overcompensate for "break-back" in various instances. With modifications for these reasons to adjust the rates to an appropriate level for minimum purposes, petitioners' scales of rates appear reasonable and should be adopted.^{5/}

With reference to the manner in which the weights of shipments should be determined, it appears that with the exception of the representative of the South San Francisco and the Stockton stockyards all parties were in agreement that the shipments should be weighed on public weighmaster scales. Although it is evident this procedure is the most desirable, it is also evident that the procedure is subject to practical difficulties arising out of the fact that the public weighmasters' scales are either not available or are not readily available for shipments as made. In the circumstances the recommendations of petitioners' witness, which

^{5/} Various of the rates which are prescribed hereinafter are substantially different from those currently in effect. That certain disturbances of present shipping practices will ensue as a consequence of some of the rate adjustments is recognized. However, in view of the changes in transportation conditions which have occurred since the rates were established, some adjustments of considerable magnitude are unavoidable if reasonable and nondiscriminatory rates for the future are to be established.

would permit the use of provided weights when shipments cannot be weighed practicably, should in general be adopted, as modified by the considered judgment of the Commission.^{6/} The proposal of the stockyard's representative that the sale weights be used as the weights for computing transportation charges should not be adopted. From a transportation standpoint it appears that this basis of weights would not produce superior results to those that would be obtained otherwise. On the contrary it appears that the use of sale weights would tend to result in unwarranted delays in billing for transportation services rendered due to the fact that determination of the weights would not be made until some time subsequent to the completion of the transportation service when the livestock is sold.

Four of the several miscellaneous recommendations and proposals which require specific comment are those dealing with charges for loading and unloading services performed in connection with shipments transported at rail competitive rates, for split pickup or split delivery, for accessorial services, and for shipments transported in multiple lots. With respect to transportation performed by highway carriers at rail competitive rates, the provisions of Minimum Rate Tariff No. 3 permit highway carriers to assess rates of rail carriers for the same transportation between the same points. In the application of this rule question arises concerning the charges to be assessed for loading and unloading services when those services are provided by highway carriers and when no provision for loading and unloading is included in the rail rates which are being assessed. Based upon the costs of loading and unloading and on other rate-making considerations, petitioners'

^{6/} In the establishment of the recommended provisions, certain modifications for tariff clarity appear necessary and will be made.

witness proposed that in such circumstances a charge of 6 cents per 100 pounds be made to apply. This recommendation was not opposed. A charge of this volume for the combined services appears reasonable and should be established. For purposes of clarity of application, however, the charge for loading should be stated separately from that for unloading. The order which follows will so provide.

Petitioners' director of research and the rate expert both recommended revisions of the tariff provisions governing split pickup and delivery. The principal change which they proposed is the substitution of flat charges per pickup or delivery for the sliding scale of charges which is now applicable. The rate expert recommended that a charge of \$1.25 per stop apply. Petitioners' witness proposed that the charge be \$1.50; moreover, he urged the limitation of split pickup or split delivery privileges to shipments of not more than three component parts. The limitation was urged on the grounds that it is necessary to prevent misuse of the privileges and that virtually all split pickup or split delivery shipments do not involve more than three components. The flat basis of charges appears reasonable in view of the circumstances under which the split pickup and split delivery services are provided. This recommendation should be adopted. The charge that should be established is \$1.50 per stop since it appears that this amount will more nearly cover the costs of the services involved. No limitation on the number of stops should be imposed, however. Such a limitation does not appear justified.

Present provisions covering accessorial services, with adjustment of the charge to present cost levels, will be continued in effect in accordance with petitioners' proposals. It appears

that such provisions should be made to meet occasional demands upon the carriers for accessorial services. A proposal of the rate expert which would define circumstances in which truckload rates, for example, may be applied to shipments picked up in less-truckload quantities should not be adopted. This proposal was opposed by petitioners on the grounds that livestock is not a commodity that can be transported economically in partial lots but, instead, because of its nature, it must be transported to destination as expeditiously as possible. Such a proposal, it may be pointed out, furthermore, would not be consistent with the truckload rates prescribed hereinafter on the basis of the most economic use of carriers' equipment.

Discussion of other of the proposals of record is not necessary. Included in this group, among others, are technical revisions in tariff terms, changes in mixed shipment rules, in rules governing stopping-in-transit for unloading, in provisions relating to the weights of animals, on changes in the form of shipping documents. Each has been considered carefully. The conclusions and findings with respect thereto will be given effect in the order which follows.

In connection with the publication of such revised minimum rate provisions as are established as a result of these proceedings petitioners requested that common carriers be authorized to depart from the long-and-short-haul provisions of the Constitution and of the Public Utilities Code to the extent necessary to comply with said revised provisions. This authority should be granted.

Upon consideration of all of the facts and circumstances of record, the Commission is of the opinion and hereby finds as a fact that revisions and modifications of the rates, rules and regulations for transportation of livestock in California by highway carriers are justified to the extent hereinbefore indicated and as provided in the following order.

O R D E R

Based on the evidence of record and on the findings and conclusions set forth in the preceding opinion,

IT IS HEREBY ORDERED:

1. That the minimum rates and charges and the rules and regulations governing their application established by Decision No. 31924 of April 11, 1939, as amended, in this proceeding, be and they are hereby superseded, effective November 1, 1957, by those set forth in Minimum Rate Tariff No. 3-A (Cancels Minimum Rate Tariff No. 3) attached hereto as Appendix "A" and by this reference made a part hereof; and that, as further amended, said Decision No. 31924, as amended, shall remain in full force and effect.

2. That tariff publications required or authorized to be made by common carriers as a result of the order herein may be effective not earlier than the effective date hereof and on not less than five days' notice to the Commission and to the public; and that such required tariff publications shall be made effective not later than November 1, 1957.

3. That common carriers be and they are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code, and of Article XIII, Section 21, of the Constitution of the State of California, to the extent necessary to carry out the effect of the order herein.

In all other respects said Decision No. 31924, as amended, shall remain in full force and effect.

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

Dated at Los Angeles, California, this 24th day of September, 1957.

[Signature]
President
[Signature]
[Signature]
[Signature]
[Signature]
Commissioners

APPENDIX "A"
OF
DECISION NO. 5558?
IN CASE NO. 5433

ISSUED BY
THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

CONSISTING OF MINIMUM RATE TARIFF NO. 3-A
NAMING MINIMUM RATES, RULES AND REGULATIONS
FOR THE TRANSPORTATION OF LIVESTOCK
OVER THE PUBLIC HIGHWAYS WITHIN THE
STATE OF CALIFORNIA

BY
RADIAL HIGHWAY COMMON CARRIERS
AND
HIGHWAY CONTRACT CARRIERS

MINIMUM RATE TARIFF NO. 3-A
(Cancels Minimum Rate Tariff No. 3)

NAMING
MINIMUM RATES, RULES AND REGULATIONS
FOR THE
TRANSPORTATION OF LIVESTOCK OVER THE
PUBLIC HIGHWAYS WITHIN THE
STATE OF CALIFORNIA
BY
RADIAL HIGHWAY COMMON CARRIERS
AND
HIGHWAY CONTRACT CARRIERS

The original tariff contains rates, rules and regulations as established in Decision No. ~~5558~~ in Case No. 5433. Changes contained in subsequent orders will be made by reissuing the pages on which the changes occur or by issuing supplements showing the corrected items.

EFFECTIVE NOVEMBER 1, 1957

Issued by the
Public Utilities Commission of the State of California
State Building, Civic Center
San Francisco, California

CORRECTION NUMBER CHECKING SHEET

This tariff is issued in loose leaf form. All added and revised pages will be numbered consecutively in the lower left hand corner. These correction numbers should be checked below on this checking sheet before pages are filed in tariff.

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SECTION NO. 1 - RULES AND REGULATIONS	Item No.
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11)</p> <p>CALVES means bovine animals weighing 450 pounds or less.</p> <p>CATTLE means bovine animals weighing more than 450 pounds.</p> <p>CARRIER means a radial highway common carrier or a highway contract carrier as defined in the Highway Carriers' Act.</p> <p>CARRIER'S EQUIPMENT means any motor truck or other self-propelled highway vehicle, trailer, semi-trailer, or any combination of such highway vehicles, operated by the carrier.</p> <p>COMMON CARRIER RATE means any intrastate rate or rates of any common carrier, as defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment, also any interstate rate of any common carrier railroad or railroads applying between points in California by an interstate or foreign route, lawfully in effect at time of shipment.</p> <p>DAIRY CATTLE means cattle which are or have been used or useful in connection with the production of milk by dairies.</p> <p>FEED LOT means a place, establishment or facility consisting of pens or other enclosures and their appurtenances, in which live cattle, calves, sheep, swine or goats are received, held or kept for fattening, for compensation as a business, for the public generally, or owned and operated by packing or slaughter houses.</p> <p>INDEPENDENT-CONTRACTOR SUBHAULER means any carrier who renders service for a principal carrier, for a specified recompense, for a specified result, under the control of the principal as to the result of the work only and not as to the means by which such result is accomplished.</p> <p>PACKING HOUSE means a place of business licensed to buy live-stock for the purpose of slaughter, at which meat or meat food products are manufactured or prepared.</p> <p>PASTURE MOVEMENT means a shipment, or component part thereof, originating at or destined to points other than points located at or within a radius of 2 actual miles of a stockyard, public sales yard, feed lot, packing house or slaughter house.</p> <p>POINT OF DESTINATION means the precise location at which livestock is tendered for physical delivery into the custody of the consignee or his agent; all points within a feed lot, packing house, public sales yard, slaughter house, stockyard or corral ranch site of one consignee shall be considered as one point of destination and shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p> <p>POINT OF ORIGIN means the precise location at which livestock is physically delivered by the consignor or his agent into the custody of the carrier for transportation. All points within a feed lot, packing house, public sales yard, slaughter house, stockyard or corral ranch site of one consignor shall be considered as one point of origin and shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p> <p>PUBLIC SALES YARD means a stockyard.</p> <p style="text-align: center;">(Continued in Item 11)</p>	10

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San Francisco, California.

SECTION NO. 1 - RULES AND REGULATIONS	Item No.
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11)</p> <p>PUBLIC WEIGHMASTER'S CERTIFICATE means a statement issued and signed or initialed by a weighmaster or deputy weighmaster licensed by the State of California, any subdivision thereof, or the federal government to perform public weighing. The statement shall set forth the kind of livestock, the date weighed, the license number of the vehicle or vehicles in which the livestock was transported, and the weight of the livestock (or the gross weight of the livestock and the vehicle or vehicles and the unladen weight of the vehicle or vehicles). If the gross weight of the vehicle or vehicles and the livestock is shown on one statement and the unladen weight of the vehicle or vehicles is shown on another, the separate statements will constitute a public weighmaster's certificate.</p> <p>RAILHEAD means a point at which facilities are maintained for the loading of livestock into or upon, or the unloading of livestock from rail cars or vessels as defined in Section 238(a) of the Public Utilities Code.</p> <p>RATE includes charge and also the minimum weight, rules and regulations governing and the accessorial charges applying in connection therewith.</p> <p>SAME TRANSPORTATION means transportation of the same kind and quantity of livestock and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.</p> <p>SHIPMENT means a quantity of livestock tendered by one shipper on one agreement for carriage at one point of origin at one time for one consignee at one point of destination. (See also definitions of split delivery shipment and split pickup shipment.)</p> <p>SLAUGHTER HOUSE means a place of business licensed to slaughter livestock.</p> <p>SPLIT PICKUP SHIPMENT means a shipment consisting of several component lots, received during one day and transported under one agreement for carriage from (a) one consignor at more than one point of origin, or (b) more than one consignor at one or more points of origin, the composite shipment being consigned and delivered to one consignee at one point of destination and charges thereon being paid by the consignee when there is more than one consignor.</p> <p>SPLIT DELIVERY SHIPMENT means a shipment consisting of several component lots 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, said shipment being shipped by one consignor at one point of origin, under one agreement for carriage and charges thereon being paid by the consignor when there is more than one consignee.</p> <p>STOCKYARD means any place, establishment or facility consisting of pens or other enclosures and their appurtenances, licensed by the federal or state government or any subdivision thereof to receive, hold or keep for sale or shipment in commerce live cattle, calves, sheep, swine or goats.</p> <p>TEAM TRACK means a point at which livestock may be loaded into, or upon, or unloaded from rail cars by the public generally. It also includes wharves, docks and landings at which the public generally may receive and tender shipments of livestock from and to common carriers by vessel.</p>	11

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

SECTION NO. 1-RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">APPLICATION OF TARIFF-CARRIERS</p> <p>Rates provided in this tariff are minimum rates, established pursuant to the Highway Carriers' Act and apply for transportation of livestock by radial highway common carriers and highway contract carriers, as defined in said Act.</p> <p>When livestock in continuous through movement is transported by two or more carriers, the rates provided herein shall be the minimum rates for the combined transportation.</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>	20
<p style="text-align: center;">APPLICATION OF TARIFF-TERRITORIAL</p> <p>Rates in this tariff apply for transportation of shipments of livestock between all points within the State of California, except:</p> <p>(a) transportation service all of which is rendered in territory within the exterior boundaries of a city.</p> <p>(b) Shipments having both point of origin and point of destination within the Los Angeles Drayage Area, as described in Minimum Rate Tariff No. 5, amendments thereto and reissues thereof.</p> <p>(c) Shipments having point of origin or destination at Corn Fed Cattle Co. feed lot, 5440 Southern Avenue, South Gate, on the one hand and point of destination or origin within the Los Angeles Drayage Area referred to in exception (b) of this item on the other.</p>	30
<p style="text-align: center;">APPLICATION OF TARIFF-COMMODITIES</p> <p>Rates in this tariff apply for the transportation of livestock, viz.:</p> <p>Barrows, Boars, Bulls, Butcher Hogs, Calves, Cattle, Cows, (1) Dairy Cattle, Ewes, Feeder Pigs, Gilts, Goats, Heifers, Hogs, Kids, Lambs, Oxen, Pigs, Rams (Bucks), Sheep, (2) Sheep Camp Outfits, Sows, Steers, Stags, Swine, or Wethers.</p> <p>(1) For specific rates on Dairy Cattle, see Section 3 of this tariff.</p> <p>(2) For application of rates on Sheep Camp Outfits, see Item No. 120.</p>	40
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SECTION NO. 1-RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">REFERENCES TO ITEMS AND OTHER TARIFFS</p> <p>Unless otherwise provided, references herein to item numbers in this or other tariffs include references to such numbers with letter suffix, and references to other tariffs include references to amendments and successive issues of such other tariffs.</p>	50
<p style="text-align: center;">SHIPMENTS TO BE RATED SEPARATELY</p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the carrier, except that component parts of split pickup or split delivery shipments, as defined in Item No. 11 may be combined under the provisions of Items Nos. 170 and 187.</p>	60
<p style="text-align: center;">UNITS OF MEASUREMENT IN QUOTATION OF RATES AND CHARGES</p> <p>Rates or accessorial charges shall not be quoted or assessed by carriers based upon a unit of measurement different from that in which the minimum rates and charges in this tariff are stated.</p>	70
<p style="text-align: center;">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates named herein shall be the shortest resulting mileage via any public highway route computed in accordance with the method provided in Distance Table No. 4, amendments thereto or reissues thereof.</p>	80
<p style="text-align: center;">LOSS AND DAMAGE CLAIMS</p> <p>A carrier shall not remit payment on loss or damage claims unless such claims are presented to the carrier in accordance with the terms of the agreement for carriage (See Items Nos. 250 and 251, paragraph 4, 6.)</p> <p>No payment shall be made by any carrier concerning any loss or damage unless such loss or damage was caused by the negligence of the carrier.</p> <p>Records of all loss and damage claims shall be maintained by the carrier for a period of not less than three years.</p>	90
<p style="text-align: center;">LOADING AND UNLOADING</p> <p>Rates include service of the driver only for loading into and unloading from carrier's equipment and the furnishing of bedding material incidental to the transportation of livestock.</p>	100
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">ACCESSORIAL CHARGES</p> <p>An additional charge of \$3.50 per man per hour, or fraction thereof, minimum charge one hour, shall be made for helpers for loading or unloading, or any accessorial or incidental service which is not authorized to be performed under the rates named in this tariff or for which a charge is not otherwise provided.</p>	110
<p style="text-align: center;">SHEEP CAMP OUTFITS</p> <p>Rates named in this tariff for the transportation of sheep will also apply to sheep camp outfits, as described in Note 1, when said outfits accompany shipments of sheep. (See Exception.)</p> <p>NOTE 1.—Sheep camp outfits include wagons, dogs, horses, mules, burros, camp equipment comprising tents, stoves, cooking utensils, cots, bedding, harness and other appurtenances in use at camp, but do not include hay, grain, feed, merchandise, groceries or clothing.</p> <p>EXCEPTION.—The provisions of this item will not apply in connection with shipments transported at any-quantity rates.</p>	120
<p style="text-align: center;">REQUIREMENTS FOR PUBLIC WEIGHMASTER'S CERTIFICATE</p> <p>1. <u>Shipments of livestock for which the carrier must obtain a public weighmaster's certificate:</u></p> <p>(a) For each shipment, other than those described in paragraph 2 hereof, the actual weight of the livestock shall be confirmed by a public weighmaster's certificate, which shall be obtained by the carrier prior to or at the time of unloading.</p> <p>(b) Every carrier who fails to obtain a public weighmaster's certificate on shipments consisting of more than 10 head of livestock shall furnish written notification thereof to the Secretary, Public Utilities Commission of the State of California, State Building, San Francisco 2, California, within seven days after delivery of the shipment. The notification shall include a statement of the reasons for the carrier's failure to obtain the required certificate. A copy of the freight bill issued pursuant to Items Nos. 250 and 251 covering the shipment so transported shall be attached to the notification.</p> <p>2. <u>Shipments of livestock for which the carrier may, but is not required to, obtain a public weighmaster's certificate:</u></p> <p>(a) Shipments consisting of not more than 10 head of livestock.</p> <p>(b) When the weighing of a shipment on a public weighmaster's scales would require the carrier to traverse a route which is more than five constructive miles longer than the shortest distance between points of origin and destination as determined in accordance with the provisions of Item No. 80.</p> <p>(c) When no public weighmaster's scale or scales along the route of movement is open for weighing at the time the carrier arrives at the scale point or points.</p>	130
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.																																
<p style="text-align: center;">DETERMINATION OF WEIGHTS AND CHARGES</p> <p>1. When the carrier obtains a public weighmaster's certificate, charges shall be based upon the weight of the livestock as confirmed by said certificate. The original and duplicate copy of the public weighmaster's certificate shall be attached to the debtor's and carrier's copy of the freight bill (see Item No. 130), respectively, and the carrier shall retain its copy of said certificate for a period of not less than three years from the date of issuance.</p> <p>2. When the carrier does not obtain a public weighmaster's certificate, charges shall be based upon the weights per animal specified in Item No. 150.</p>	140																																
<p style="text-align: center;">PROVIDED WEIGHTS PER ANIMAL</p> <p>When carrier does not obtain a public weighmaster's certificate, the weights per animal specified herein shall be used as a basis for determining charges.</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; border-bottom: 1px solid black;"><u>Type of Animal</u></th> <th style="text-align: center; border-bottom: 1px solid black;"><u>Pounds Per Head</u></th> </tr> </thead> <tbody> <tr> <td colspan="2">Cattle:</td> </tr> <tr> <td>Bulls -----</td> <td style="text-align: right;">1200</td> </tr> <tr> <td>(1) Feeder Cattle (Except Cows) -----</td> <td style="text-align: right;">650</td> </tr> <tr> <td>Other Cattle -----</td> <td style="text-align: right;">900</td> </tr> <tr> <td>Calves -----</td> <td style="text-align: right;">300</td> </tr> <tr> <td colspan="2">Hogs or Swine:</td> </tr> <tr> <td>Sows or Bears -----</td> <td style="text-align: right;">350</td> </tr> <tr> <td>Stags -----</td> <td style="text-align: right;">450</td> </tr> <tr> <td>Butcher Pigs -----</td> <td style="text-align: right;">220</td> </tr> <tr> <td>Feeder Pigs -----</td> <td style="text-align: right;">80</td> </tr> <tr> <td>Other Hogs or Swine -----</td> <td style="text-align: right;">200</td> </tr> <tr> <td colspan="2">Sheep and Goats:</td> </tr> <tr> <td>(2) Lambs or Kids -----</td> <td style="text-align: right;">85</td> </tr> <tr> <td>(2) Ewes, Wethers, or Rams (Bucks) -----</td> <td style="text-align: right;">120</td> </tr> <tr> <td>Goats -----</td> <td style="text-align: right;">120</td> </tr> </tbody> </table> <p>(1) Applies only on movements to pasture.</p> <p>(2) The provided weights per trip per single equipment unit or two units of equipment in combination will not exceed 25,000 pounds in connection with mixed shipments of Ewes and their Lambs.</p>	<u>Type of Animal</u>	<u>Pounds Per Head</u>	Cattle:		Bulls -----	1200	(1) Feeder Cattle (Except Cows) -----	650	Other Cattle -----	900	Calves -----	300	Hogs or Swine:		Sows or Bears -----	350	Stags -----	450	Butcher Pigs -----	220	Feeder Pigs -----	80	Other Hogs or Swine -----	200	Sheep and Goats:		(2) Lambs or Kids -----	85	(2) Ewes, Wethers, or Rams (Bucks) -----	120	Goats -----	120	150
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Goats -----	120																																
<p style="text-align: center;">RATES BASED ON VARYING MINIMUM RATES WEIGHTS</p> <p>When charges accruing on a shipment based upon actual weight (or provided weight, whichever is applicable) exceed the charges computed upon a rate based upon a greater minimum weight, the latter shall apply. For the purpose of applying this item to a mixed shipment of livestock, deficiency between actual weight (or provided weight, whichever is applicable) of the shipment and the greater minimum weight shall be computed at the rate applicable to the lowest rated livestock in the shipment.</p>	160																																
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SECTION NO. 1-RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">SPLIT PICKUP</p> <p>(1) The charge for a split pickup shipment, as defined in Item No. 11 shall be the charge applicable for transportation of a single shipment of the same kind and quantity of live-stock for the distance to point of destination from that point of origin which produces the shortest distance via the other point or points of origin, plus an added charge of \$1.50 per split pickup.</p> <p>(2) At the time of or prior to the first pickup, the carrier shall be furnished with manifest or written shipping instructions showing the name of each consignor, the points of origin, and the kind and quantity of livestock in each component lot.</p> <p>(3) No split pickup shipment shall be accorded split delivery.</p> <p>(4) If split delivery is performed on a split pickup shipment or a component part thereof, or if shipping instructions do not conform with the requirements of paragraph 2 hereof, each component part of the split pickup shipment shall be rated as a separate shipment under other provisions of this tariff.</p>	170
<p style="text-align: center;">SPLIT DELIVERY</p> <p>(1) The charge for a split delivery shipment, as defined in Item No. 11, shall be the charge applicable to the transportation of a single shipment of the same kind and quantity of live-stock for the distance from point of origin to that point of destination which produces the shortest distance, via the other point or points of destination, plus an added charge of \$1.50 per split delivery.</p> <p>(2) At time of tender of shipment, carrier shall issue a single agreement for carriage for the composite shipment, and be furnished with manifest or written delivery instructions showing the name of each consignee, the points of destination, and the kind and quantity of livestock in each component lot.</p> <p>(3) No split delivery shipment shall be accorded split pickup.</p> <p>(4) If split pickup is performed on a split delivery shipment or a component part thereof, or if shipping instructions do not conform with the requirements of paragraph 2 hereof, each component part of the split delivery shipment shall be rated as a separate shipment under other provisions of this tariff.</p>	180
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">MIXED SHIPMENTS</p> <p>Rates on mixed shipments of livestock shall be assessed in accordance with the following:</p> <p>1. When two or more types of livestock, for which different rates are named in this tariff, are shipped as a mixed shipment, separate weights will be obtained (See Items Nos. 130, 140 and 150) and charges shall be computed at the separate rates applicable to each type of livestock in straight shipments at the combined weight of the mixed shipment. The minimum weight shall be the highest provided for any of the rates used in computing the charges, subject to Item No. 160. In the event a lower charge results by considering such types of livestock as if they were divided into two or more separate shipments such lower charge shall apply. (See Note 1.)</p> <p>NOTE 1.-If the actual weight of a mixed shipment has been confirmed by a public weighmaster's certificate for the entire mixed shipment only and not separately for each type of livestock contained therein, charges shall be based on the provided weight for each type of livestock included in the mixed shipment as follows:</p> <p>(a) When the total provided weight exceeds the total confirmed actual weight, the deficiency between the provided and the actual weights shall be computed at the lowest rate for any type of livestock included in the mixed shipment and the amount so determined shall be deducted from the charges resulting under the total provided weight of the shipment.</p> <p>(b) When the total provided weight is less than the total confirmed actual weight, the deficiency between the actual and the provided weights shall be computed at the lowest rate for any type of livestock included in the mixed shipment and the amount so determined shall be added to the charges resulting under the total provided weight of the shipment.</p> <p>2. When livestock for which rates are named in this tariff are included in a mixed shipment containing other livestock or commodities, the livestock subject to rates named in this tariff will be rated as a separate shipment.</p> <p>3. Dairy cattle included in mixed shipments with other kinds of livestock transported within or between the zones described in Items Nos. 310 and 311 shall be subject to the rates in cents per 100 pounds named in this tariff for cattle in straight shipments.</p>	190
<p style="text-align: center;">STOPPING IN TRANSIT</p> <p>Except as otherwise provided in this rule, when a shipment or portion thereof is unloaded in transit for the purpose of weighing, sorting, feeding or for any other reason, the following additional charges shall be assessed: (See Note 1.)</p> <p> \$ 6.96 per stop for equipment with one loaded deck, \$10.44 per stop for equipment with more than one loaded deck, and \$ 4.17 per hour in addition to the stop charge for the amount of time the stop exceeds two hours' duration.</p> <p>NOTE 1.-No charge shall be made in connection with a stop-in-transit where the cause is attributable to the carrier nor shall any charge under this item be made for time when carrier's equipment is inactivated because of mechanical failure or when driver is off duty.</p>	200
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>Common carrier rates may be applied in lieu of the rates provided in this tariff, when such common carrier rates produce a lower aggregate charge for the same transportation from the same point of origin to the same point of destination than results from the application of the rates herein provided. (See Notes 1, 2 and 3.)</p> <p>NOTE 1.-In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.</p> <p>NOTE 2.-When a rail carload rate is subject to varying minimum weights, dependent upon the size of the car ordered or used, the lowest minimum weight obtainable under such minimum weight provisions may be used in applying the basis provided in this item.</p> <p>NOTE 3.-When a common carrier rate, which does not include the service of loading and/or unloading is applied under the provisions of this item and when loading and/or unloading services are provided in connection with the transportation services performed, the following additional charges shall be assessed.</p> <p style="margin-left: 40px;">Loading - - - - - 3 cents per 100 pounds Unloading - - - - - 3 cents per 100 pounds</p>	210
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES (Items Nos. 220 and 221)</p> <p>When lower aggregate charges result, rates provided in this tariff may be used in combination with common carrier rates for the same transportation as follows:</p> <p>(a) When point of origin is located beyond railhead and point of destination is located at railhead, add to the common carrier rate applying from any team track to point of destination the rate provided in this tariff for the distance from point of origin to the team track from which the common carrier rate used applies. (See Notes 1, 2 and 3.)</p> <p>(b) When point of origin is located at railhead and point of destination is located beyond railhead, add to the common carrier rate applying from point of origin to any team track the rate provided in this tariff for the distance from the team track to which the common carrier rate used applies to point of destination. (See Notes 1, 2 and 3.)</p> <p style="text-align: center;">(Continued in Item No. 221)</p>	220
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SECTION NO. 1-RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES (Concluded) (Items Nos. 220 and 221)</p> <p>(c) When both point of origin and point of destination are located beyond railhead, add to the common carrier rate applying between any railroads the rate provided in this tariff for the distance from point of origin to the team track from which the common carrier rate used applies, plus the rate provided in this tariff for the distance from the team track to which the common carrier rate used applies to point of destination. (See Notes 1, 2, and 3.)</p> <p>NOTE 1.-If the route from point of origin to the team track or from the team track to point of destination is within the corporate limits of a single incorporated city, the rates provided in this tariff for transportation for distances of 3 miles or less, or rates established for transportation by carriers as defined in the City Carriers' Act, whichever are the lower, shall apply from point of origin to team track or from team track to point of destination, as the case may be.</p> <p>NOTE 2.-In applying the common carrier rate or charge under this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.</p> <p>NOTE 3.-When a rail carload rate is subject to varying minimum weights, dependent upon the size of the car ordered or used, the lowest minimum weight obtainable under such minimum weight provisions may be used in applying the basis provided in this item.</p>	221
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">(1) COLLECTION OF CHARGES</p> <p>(a) Except as otherwise provided in this rule, transportation and accessorial charges shall be collected by the carriers prior to relinquishing physical possession of shipments entrusted to them for transportation.</p> <p>(b) Upon taking precautions deemed by them to be sufficient to assure payment of charges within the credit period herein specified, carriers may relinquish possession of freight in advance of the payment of the charges thereon and may extend credit in the amount of such charges to those who undertake to pay them, such persons herein being called debtors, for a period of 7 days, excluding Saturdays, Sundays and legal holidays. When the freight bill covering a shipment is presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following delivery of the freight. When the freight bill is not presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following the presentation of the freight bill.</p> <p>(c) Where a carrier has relinquished possession of freight and collected the amount of charges represented in a freight bill presented by it as the total amount of such charges, and another freight bill for additional charges is thereafter presented to the debtor, the carrier may extend credit in the amount of such additional charges for a period of 30 calendar days to be computed from the first 12 o'clock midnight following the presentation of the subsequently presented freight bill.</p> <p>(d) Freight bills for all transportation and accessorial charges shall be presented to the debtors within 7 calendar days from the first 12 o'clock midnight following delivery of the freight.</p> <p>(e) Debtors may elect to have their freight bills presented by means of the United States mail, and when the mail service is so used the time of mailing by the carrier, as evidenced by the postmark, shall be deemed to be the time of presentation of the freight bills.</p> <p>(f) The mailing by the debtor of valid checks, drafts, or money orders, which are satisfactory to the carrier, in payment of freight charges within the credit period allowed such debtor may be deemed to be the collection of the charges within the credit period for the purpose of these rules. In case of dispute as to the time of mailing, the postmark shall be accepted as showing such time.</p> <p>(1) Will not apply to the transportation of property for the United States, state, county or municipal governments.</p>	230
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">COLLECT ON DELIVERY (C.O.D.) SHIPMENTS</p> <p>(a) No carrier shall handle any C.O.D. shipment unless and until it has on file with the Commission a good and sufficient bond in such form as the Commission may deem proper, in a sum of not less than Two Thousand Dollars (\$2,000.00).</p> <p>(b) The bond required by paragraph (a) hereof, shall be filed by the carrier as principal and by some solvent surety company, authorized to do business in the State of California, as surety, payable to the State of California, and/or any person or persons to whom any amount may be due on any C.O.D. shipment transported by said carrier and not remitted to the person or persons to whom it is due within ten days after delivery of any such shipment; however, when the carrier has filed with any municipality or board thereof, pursuant to ordinance, a bond in a sum not less than Two Thousand Dollars (\$2,000.00), payable to said board or municipality and/or any person or persons to whom any amount may be due on any C.O.D. shipment transported by said carrier and not remitted to the person or persons to whom it is due within ten days after delivery of any such shipment, the filing by such carrier of a certified copy of said bond with this Commission shall be deemed compliance herewith. Each bond filed pursuant to the foregoing shall specify the extent to which the carrier's operations are covered thereby and may cover more than one operative authority held by the same carrier. When a carrier with such a bond or bonds on file with the Commission obtains additional operative authority, said bond or bonds shall be revised or reissued to show whether or not the additional operative authority is covered thereby. No C.O.D. bond shall be canceled on less than thirty days' notice to the Commission.</p> <p>(c) In the handling of C.O.D. shipments carrier shall, promptly upon collection of any and all C.O.D. moneys, and in no event later than ten days after delivery to consignee, unless consignor instructs otherwise in writing, remit to consignor all C.O.D. moneys collected by it on such shipments.</p>	240
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENTS (Items Nos. 250 and 251)</p> <p><u>A. Agreement for Carriage</u></p> <p>Prior to or at the time each shipment is tendered to the carrier for transportation, a written agreement for carriage shall be executed by the carrier and by the consignor or other party responsible for the tender of the shipment. In the absence of such an agreement signed by both parties, the shipment shall not be accepted by the carrier for transportation.</p> <p>The agreement for carriage shall show the following information:</p> <ol style="list-style-type: none"> 1. Name of consignor. 2. Name of consignee. 3. Point of origin. 4. Point of destination. 5. Description of the kind and number of head of livestock shipped. 6. The terms of the contract of carriage which shall include: <ol style="list-style-type: none"> a. Unless caused by the negligence of the carrier or its employees, no carrier shall be liable for or on account of any injury or death sustained by such livestock occasioned by an act of God, the public enemy, quarantine, the authority of law, the inherent vice, weakness or natural propensity of the animal, act or default of the shipper or owner or the agent of either, overloading, crowding one upon the other, escaping from vehicles, kicking or goring or otherwise injuring themselves, suffocation, fright, heat or cold, changes in weather or delay caused by stress of weather, or damage to highway or roads or other causes beyond the carrier's control. <p style="text-align: center;">(Continued in Item No. 251)</p>	250
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SECTION NO. 1 - RULES AND REGULATIONS (Concluded)	Item No.
<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENTS (Concluded) (Items Nos. 250 and 251)</p> <p>b. As a condition precedent to the recovery of damages caused by the carrier's negligence, claims must be filed in writing with the carrier within 90 days after date of delivery, or, in the case of failure to make delivery, within 100 days after tender of the shipment.</p> <p>c. No claim shall be honored by a carrier covering any shipment on which the shipper has not remitted to the carrier full transportation charges.</p> <p>d. All claims shall be accompanied by paid freight bill, shipping order and delivery receipt, or exact copies thereof, and a verified statement itemizing the extent of loss or damage.</p> <p>e. Unless written notice of loss or damage is given to a carrier before or at the time the shipment is unloaded at point of destination, the carrier will be discharged from all liability in respect to any claim for loss and damage.</p> <p>The form of agreement for carriage in Items Nos. 320 and 321 will be suitable and proper.</p> <p>A copy of each agreement for carriage shall be retained and preserved by the issuing carrier, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.</p> <p><u>B. Freight Bill</u></p> <p>A bill for freight charges (either in individual or manifest form) shall be issued by the carrier to the debtor for each shipment received for transportation. The freight bill shall show the following information:</p> <ol style="list-style-type: none"> 1. Name of consignor. 2. Name of consignee. 3. Point of origin. 4. Point of destination. 5. Description of the kind and number of head of livestock shipped. 6. Weight of the shipment (attach public weighmaster's certificate when obtained) or the per-head basis when dairy cattle rates are used. 7. Rate assessed. 8. Charges assessed. 9. Type of movement. 10. Such other information as may be necessary to an accurate determination of the applicable minimum rate and charge. <p>The form of freight bill in Item No. 322 will be suitable and proper.</p> <p>A copy of each freight bill shall be retained and preserved by the issuing carrier, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.</p>	251
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SECTION NO. 2

LIVESTOCK RATES

If the charge accruing under Section No. 3 of this tariff is lower than the charge accruing under this section on the same shipment between the same points, the charge accruing under Section No. 3 will apply.

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SECTION NO. 2-DISTANCE COMMODITY RATES (In Cents per 100 Pounds)				Item No.		
CATTLE, viz.: Bulls, Cattle, Cows, Dairy Cattle, Heifers, Oxen and Steers.						
HOGS, viz.: Barrows, Boars, Butcher Hogs, Feeder Pigs, Gilts, Hogs, Pigs, Sows, Stags and Swine.						
(For Application of Rates See Items Nos. 30 and 40)						
Miles		Minimum Weight in Pounds				
Over	But Not Over	Any Quantity	10,000	20,000		30,000 (See Note 1)
0	3	19	10	9	6	270
3	5	20	11	10	7	
5	10	22	12	11	8	
10	15	24	13	12	9	
15	20	27	15	14	10	
20	25	30	17	15	11	
25	30	33	19	17	12	
30	35	36	21	18	13	
35	40	39	25	19	14	
40	45	42	25	21	15	
45	50	45	27	22	16	
50	60	48	30	24	18	
60	70	51	33	26	20	
70	80	54	36	29	22	
80	90	57	39	32	24	
90	100	60	42	34	26	
100	110	62	46	37	28	
110	120	64	50	40	30	
120	130	66	54	43	32	
130	140	68	58	45	34	
140	150	71	61	48	36	
150	160	74	65	51	38	
160	170	78	68	53	40	
170	180	82	72	56	42	
180	190	86	75	59	44	
190	200	91	79	62	46	
200	220	96	84	66	49	
220	240	102	90	70	52	
240	260	108	96	74	55	
260	280	114	103	78	58	
280	300	120	110	82	61	
300	325	127	117	88	65	
325	350	134	126	93	69	
350	375	141	134	99	73	
375	400	148	142	104	77	
400	425	155	150	110	81	
425	450	162	157	116	85	
450	475	169	165	121	89	
475	500	176	172	127	93	
500	525	183	180	132	97	

525	550	190	186	138	101
550	575	197	192	143	105
575	600	204	198	149	109
For distances over 600 miles add for each 25 miles or fraction thereof in excess of 600 miles		7	6	5 $\frac{1}{2}$	4

NOTE 1.-Rates in this column are subject to the following minimum weights per shipment:

<u>Number of Units of Equipment Used</u>	<u>Minimum Weight (In Pounds)</u>
1	30,000
2	60,000
3	90,000
4	120,000

Over 4 ----- Add to the minimum weight for 4 units
of equipment 30,000 pounds for each
unit of equipment in excess of 4.

For the purposes of this note, a unit of equipment shall be deemed as any vehicle or combination of vehicles as described in Item No. 10 propelled by the use of a single motor truck or single other self-propelled highway vehicle.

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SECTION NO. 2-DISTANCE COMMODITY RATES (Continued) (In Cents per 100 Pounds)					Item No.	
CALVES, or SHEEP, viz.: Ewes, Goats, Kids, Lambs, Rams (Bucks), Sheep, Sheep Camp Outfits, and Wethers. (For Application of Rates See Items Nos. 30 and 40)						
Miles Over	But Not Over	Minimum Weight in Pounds				
		Any Quantity	10,000	18,000	25,000 (See Note 1)	
0	3	19	14	13	11	
3	5	20	15	14	12	
5	10	22	17	16	13	
10	15	24	19	17	14	
15	20	27	21	19	15	
20	25	30	23	20	16	
25	30	33	25	22	17	
30	35	36	27	23	18	
35	40	39	29	24	19	
40	45	42	31	25	20	
45	50	45	34	26	21	
50	60	48	37	28	23	
60	70	51	40	30	26	
70	80	54	43	33	28	
80	90	57	47	36	31	
90	100	60	51	39	33	
100	110	62	55	42	35	
110	120	64	59	45	38	
120	130	66	61	48	41	
130	140	68	65	51	43	
140	150	71	69	55	45	
150	160	74	73	58	48	
160	170	78	77	61	50	
170	180	82	81	64	53	
180	190	86	85	68	55	
190	200	91	90	72	58	
200	220	96	95	77	62	
220	240	102	101	82	66	
240	260	108	107	87	70	
260	280	114	113	92	74	
280	300	120	118	97	78	
300	325	127	125	103	83	
325	350	134	132	109	88	
350	375	141	139	115	93	
375	400	148	146	121	98	
400	425	155	153	127	103	
425	450	162	160	133	108	
450	475	169	167	139	113	
475	500	176	174	145	118	
500	525	183	181	151	123	

280

525	550	190	188	157	128
550	575	197	195	163	132
575	600	204	202	169	136
For distances over 600 miles add for each 25 miles or fraction thereof in excess of 600 miles		7	7	6	4½

NOTE 1.-Rates in this column are subject to the following minimum weights per shipment:

<u>Number of Units of Equipment Used</u>	<u>Minimum Weight (In Pounds)</u>	
	<u>Other Than Ewes and Their Lambs</u>	<u>Ewes and Their Lambs</u>
1	25,000	24,000
2	50,000	48,000
3	75,000	72,000
4	100,000	96,000

Over 4 ----- Add to the minimum weight for 4 units of equipment 25,000 pounds for other than ewes and their lambs or 24,000 pounds for ewes and their lambs for each unit of equipment in excess of 4.

For the purpose of this note a unit of equipment shall be deemed as any vehicle or any combination of vehicles as described in Item No. 10 propelled by the use of a single motor truck or single other self-propelled highway vehicle.

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SECTION NO. 3

DAIRY CATTLE RATES

If the charge accruing under Section No. 2 of this tariff is lower than the charge accruing under this section on the same shipment between the same points, the charge accruing under Section No. 2 will apply.

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SECTION NO. 3-RATES (In Cents Per Head)										Item No.	
DAIRY CATTLE, as described in Item No. 10.											
BETWEEN AND		ZONES (See Items Nos. 310 and 311 for territorial zone descriptions.)									300
ZONES		A	B	C	D	E	F	G	H	I	
A		107									
B		134	107								
C		247	187	107							
D		247	247	247	107						
E		187	187	187	134	107					
F		134	134	247	187	134	107				
G		187	247	371	247	247	187	107			
H		134	187	309	247	247	134	134	107		
I		134	187	309	309	247	187	187	134	107	
Rates are subject to a minimum charge of \$1.34 per shipment. Not subject to the provisions of Items Nos. 130, 140 and 150.											
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SECTION NO. 3	RATES (Continued)	Item No.
TERRITORIAL ZONE DESCRIPTIONS (Items Nos. 310 and 311)		
<p>The following territorial zone descriptions include both sides of streets, boulevards, roads, avenues or highways named, and apply in connection with rates making specific references hereto:</p>		
ZONE A		
<p>Beginning at the intersection of Slauson Avenue and La Brea Avenue; thence northerly along La Brea Avenue to Santa Monica Boulevard; easterly along Santa Monica Boulevard to Cahuenga Boulevard; northwesterly along Cahuenga Boulevard to Barham Boulevard; northerly along Barham Boulevard to Olive Avenue; northeasterly along Olive Avenue to Alameda Avenue; northeasterly along Alameda Avenue to San Fernando Road; southeasterly along San Fernando Road to Colorado Street; easterly along Colorado Street and Colorado Boulevard to North Figueroa Street; southerly along North Figueroa Street to Pasadena Avenue; easterly along Pasadena Avenue to Mission Street; easterly along Mission Street to Los Robles Avenue; southeasterly along Los Robles Avenue to Wilson Avenue; southerly along Wilson Avenue to Atlantic Boulevard; southerly along Atlantic Boulevard to Firestone Boulevard; westerly along Firestone Boulevard and Manchester Avenue to Avalon Boulevard; northerly along Avalon Boulevard to Slauson Avenue; westerly along Slauson Avenue to point of beginning.</p>		310
ZONE B		
<p>Beginning at the intersection of Atlantic Boulevard and Anaheim Telegraph Road; thence northerly along Atlantic Boulevard to Huntington Drive; northeasterly along Huntington Drive and Falling Leaf Avenue to Foothill Boulevard (U.S. Highway No. 66); easterly along Foothill Boulevard to Irwindale Avenue; southerly along Irwindale Avenue to Arroyo Avenue; easterly along Arroyo Avenue to Glendora Avenue; southwestwesterly along Glendora Avenue to Pomona Boulevard; northwesterly and southwestwesterly along Pomona Boulevard to Hacienda Boulevard; southwestwesterly along Hacienda Boulevard to Whittier Boulevard; westerly along Whittier Boulevard to La Mirada Avenue; southerly along La Mirada Avenue to Imperial Highway; westerly along Imperial Highway to Valley View Avenue; northerly along Valley View Avenue to Anaheim Telegraph Road; northwesterly along Anaheim Telegraph Road to point of beginning.</p>		

ZONE C

Beginning at the intersection of Arroyo Avenue and Glendora Avenue in West Covina; thence easterly along Arroyo Avenue and U.S. Highways Nos. 70 and 99 to Etiwanda Avenue; southerly along Etiwanda Avenue and its prolongation to the Santa Ana River; southwesterly along the Santa Ana River to Placentia Yorba Boulevard; northerly and northwesterly along Placentia Yorba Boulevard to Richfield Road; northerly along Richfield Road to Yorba Linda Boulevard; easterly along Yorba Linda Boulevard to Imperial Highway; northwesterly and westerly along Imperial Highway to La Mirada Avenue; northerly along La Mirada Avenue to Whittier Boulevard; easterly along Whittier Boulevard to Hacienda Boulevard; northerly along Hacienda Boulevard to Pomona Boulevard; southeasterly along Pomona Boulevard to Glendora Avenue; northeasterly along Glendora Avenue to point of beginning.

ZONE D

Beginning at the point Jefferson Street crosses the Santa Ana River; thence southerly along Jefferson Street to Santa Ana Canyon Road; southwesterly along Santa Ana Canyon Road to Santiago Boulevard; southeasterly along Santiago Boulevard to Chapman Avenue; easterly along Chapman Avenue to Crawford Canyon Road; southeasterly along Crawford Canyon Road to Newport Avenue; southwesterly along Newport Avenue to Irvine Boulevard; southeasterly along Irvine Boulevard to Central Avenue; southwesterly along Central Avenue to Laguna Road; southerly along Laguna Road and its prolongation to the Pacific Ocean at Laguna Beach; northwesterly along the shore line of the Pacific Ocean to the Santa Ana River; northwesterly along the Santa Ana River to point of beginning.

(Continued in Item 311)

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SECTION NO. 3	RATES (Continued)	Item No.
<p>TERRITORIAL ZONE DESCRIPTIONS (Concluded) (Items Nos. 310 and 311)</p>		
<p>ZONE E</p>		
<p>Beginning at the intersection of U.S. Highway No. 101 Alternate and Bay Boulevard; thence northeasterly along Bay Boulevard to Los Alamitos Boulevard; northerly along Los Alamitos Boulevard to Garden Grove Boulevard; easterly along Garden Grove Boulevard to Knott Avenue; northerly along Knott Avenue and Luitwieler Road to Imperial Highway; easterly along Imperial Highway to Yorba Linda Boulevard; westerly along Yorba Linda Boulevard to Richfield Road; southerly along Richfield Road to Walnut Street; westerly along Walnut Street to Jefferson Street; southerly along Jefferson Street to the Santa Ana River; southwesterly along the Santa Ana River to U.S. Highway No. 101 Alternate; northwesterly along U.S. Highway No. 101 Alternate to point of beginning.</p>		
<p>ZONE F</p>		
<p>Beginning at the point the prolongation of Avalon Boulevard meets the Pacific Ocean; thence northerly along the prolongation of Avalon Boulevard and Avalon Boulevard to Firestone Boulevard; easterly along Firestone Boulevard to Atlantic Boulevard; northerly along Atlantic Boulevard to Telegraph Road; southeasterly along Telegraph Road to Valley View Avenue; southerly along Valley View Avenue to Artesia Avenue; easterly along Artesia Avenue to Knott Avenue southerly along Knott Avenue to Garden Grove Boulevard; westerly along Garden Grove Boulevard to Los Alamitos Boulevard; southerly along Los Alamitos Boulevard to Bay Boulevard; southwesterly along Bay Boulevard and its prolongation to the Pacific Ocean; northwesterly along the shore line of the Pacific Ocean to point of beginning.</p>	<p>311</p>	
<p>ZONE G</p>		
<p>Beginning at the point the prolongation of Torrance Boulevard meets the Pacific Ocean; thence easterly along Torrance Boulevard to Madrona Avenue; southerly along Madrona Avenue to Carson Street; easterly along Carson Street to Avalon Boulevard; southerly along Avalon Boulevard and its prolongation to the Pacific Ocean; southerly, westerly and northerly along the shore line of the Pacific Ocean to point of beginning.</p>		

ZONE H

Beginning at the point the prolongation of Culver Boulevard meets the Pacific Ocean; thence northeasterly along Culver Boulevard to Jefferson Boulevard; northeasterly along Jefferson Boulevard to Slauson Avenue; easterly along Slauson Avenue to Avalon Boulevard; southerly along Avalon Boulevard to Carson Street; westerly along Carson Street to Madrona Avenue; northerly along Madrona Avenue to Torrance Boulevard; westerly along Torrance Boulevard and its prolongation to the Pacific Ocean; northwesterly along the shore line of the Pacific Ocean to point of beginning.

ZONE I

Beginning at the point the prolongation of Sunset Boulevard meets the Pacific Ocean; thence northeasterly along Sunset Boulevard to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Ventura Boulevard and Cahuenga Boulevard to Santa Monica Boulevard; westerly along Santa Monica Boulevard to La Brea Avenue; southerly along La Brea Avenue to Slauson Avenue; westerly along Slauson Avenue to Jefferson Boulevard; southwesterly along Jefferson Boulevard to Culver Boulevard; southwesterly along Culver Boulevard and its prolongation to the Pacific Ocean; northwesterly along the shore line of the Pacific Ocean to point of beginning.

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SECTION NO. 4

Forms of Shipping Documents to Which
Reference Is Made in Items Nos. 250 and 251

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SECTION NO. 4-FORMS OF SHIPPING DOCUMENTS

Item No. 320

LIVESTOCK SHIPPING ORDER
AGREEMENT FOR CARRIAGE

NAME OF CARRIER -----

LOCATION: ----- DATE -----

THIS SHIPPING ORDER, made this ----- day of -----, 19---, by and between
----- Company, party of the first part, hereinafter called the carrier, and
----- (Shipper's name)

THIS SHIPPING ORDER WITNESSETH, That the carrier has received from the shipper
the livestock described below, in apparent good order, except as noted, consigned
and destined as indicated below. It is mutually agreed that every service to be
performed and every liability incurred in connection with said shipment shall be
subject to the conditions on back hereof, which are agreed to by the shipper and
accepted for himself and his assigns.

Point of Origin ----- Consigned to -----

Destination -----

Number of Head	Description of Animals

If charges are to be prepaid indicate here

REMARKS -----

Carrier-----, Shipper -----

By -----, By -----

Rules shown in Item No. 321 to be included on reverse side.

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SECTION NO. 4 - FORMS OF SHIPPING DOCUMENTS

Item No. 321

RULES GOVERNING SHIPPING ORDER
(To Appear on Shipping Order Shown in Item No. 320)

a. Unless caused by the negligence of the carrier or its employees, no carrier shall be liable for or on account of any injury or death sustained by such livestock occasioned by an act of God, the public enemy, quarantine, the authority of law, the inherent vice, weakness or natural propensity of the animal, act or default of the shipper or owner or the agent of either, overloading crowding one upon the other, escaping from vehicles, kicking or goring or otherwise injuring themselves, suffocation, fright, heat or cold, changes in weather or delay caused by stress of weather, or damage to highways or roads or other causes beyond the carrier's control.

b. As a condition precedent to the recovery of damages caused by the carrier's negligence, claims must be filed in writing with the carrier within 90 days after date of delivery, or, in the case of failure to make delivery, within 100 days after tender of the shipment.

c. No claim shall be honored by a carrier covering any shipment on which the shipper has not remitted to the carrier full transportation charges.

d. All claims shall be accompanied by paid freight bill, shipping order and delivery receipt, or exact copies thereof, and a verified statement itemizing the extent of loss or damage.

e. Unless written notice of loss or damage is given to a carrier before or at the time the shipment is unloaded at point of destination, the carrier will be discharged from all liability in respect to any claim for loss and damage.

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SECTION NO. 4-FORMS OF SHIPPING DOCUMENTS

Item No. 322

LIVESTOCK FREIGHT BILL

Date _____ Bill No. _____
 Permit No. _____

NAME OF CARRIER _____
 (Name of Carrier Must be Same as Shown on Permit)

Name of Shipper _____ Name of Consignee _____
 Address of Shipper _____ Address of Consignee _____
 Precise Point of Origin _____ Precise Point of Destination _____

Number of Head (Note 1)	Kind of Stock (Note 1)	Weight of Shipment, Pounds	(In Cents per 100 Pounds)	Charges

(NOTE 1) Show separately for each type of livestock listed in Item No. 150, Minimum Rate Tariff No. 3-A.

TYPE OF MOVEMENT

A Pasture movement.

B To or from an auction

C Date of auction _____ (See Note 2)
 Other than A or B

Accessorial Charges		
Other Charges		
Prepaid		
Total to Collect		

 Shipper
 by _____
 (Show Name in Full)

Received by Carrier in Good Condition Except as Noted
 by _____
 Driver (Show Name in Full)

Received by Consignee in Good Condition Except as Noted
 by _____
 (Show Name in Full)

(NOTE 2) Date of auction not required on shipments from or to yards used exclusively for auctioning livestock.

Weight Certificate No. _____
 (Attached)

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