

ORIGINAL

Decision No. 55815

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 )	Case No. 5432
and City Carriers, relating to the )	Petition for Modification
transportation of General Commodities )	No. 98
(Commodities for which Rates are Pro- )	
vided in Minimum Rate Tariff No. 2). )	

SUPPLEMENTAL OPINION AND ORDER

Decision No. 55704 of October 15, 1957, in Case No. 5432, established, among other matters, revised provisions governing accessorial services in Minimum Rate Tariff No. 2.

By petition filed October 30, 1957, Bauer-Schweitzer Malting Company, Continental Grain Company, the San Francisco Grain Exchange and the California Hay, Grain and Feed Dealers' Association seek amendment of Item No. 240-J of the tariff to exclude from the loading and unloading charges therein provided shipments of grain and related articles which are loaded or unloaded by gravity. Petitioners allege that the sought exclusion has been fully justified by the evidence hereinbefore developed in this proceeding.

California Trucking Associations, Inc., and certain carriers have been notified of the filing of the petition. No objection has been received. The evidence referred to by the petitioners has been reviewed. Minimum Rate Tariff No. 2 will be amended as requested by petitioners. A public hearing is not necessary. Also, a conflict between the provisions governing "Application of Rates" in Item No. 120-E and "Accessorial Services Not Included in Common Carrier Rates" in Item No. 240-J has been brought to our attention. The conflict will be removed by appropriate revision of Item No. 120-E.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Minimum Rate Tariff No. 2 (Appendix "D" to Decision No. 31606, as amended) be and it is further amended by incorporating therein, to become effective November 18, 1957, Twelfth Revised Page 19 Cancels Eleventh, Tenth, Ninth and Eighth Revised Pages 19, and Fourteenth Revised Page 26 Cancels Thirteenth, Twelfth and Eleventh Revised Pages 26, which pages are attached hereto and made a part hereof.

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

The effective date of this order shall be November 18, 1957.

Dated at San Francisco, California, this 12<sup>th</sup> day of November, 1957.

President  
 Commissioner  
 Commissioner  
 Commissioner

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 and  
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MINIMUM RATE TARIFF NO. 2

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
*120-F Cancels 120-E, 120-D And 120-C	<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates in this tariff, and common carrier rates applied under the provisions of Items Nos. 200, 210, 220 and 230, subject to minimum weights of less than 10,000 pounds, include loading into and unloading from the carrier's equipment. When the carrier picks up or delivers a shipment subject to a minimum weight of less than 10,000 pounds and weighing more than 100 pounds, at a point not at street level, and no vehicular elevator service or vehicular ramp is provided and made available to the carrier, an additional charge of <math>\diamond 8\frac{1}{2}</math> cents per 100 pounds, minimum additional charge <math>\diamond 58</math> cents per shipment, shall be assessed for the service of handling shipment beyond the carrier's equipment.</p> <p>Rates in this tariff, subject to minimum weights of 10,000 pounds or more, include loading into and unloading from carrier's equipment at established depots. At points of origin or points of destination other than established depots, rates in this tariff (other than common carrier rates, applied under the provisions of Items Nos. 200, 210, 220 and 230), subject to minimum weights of 10,000 pounds or more, include the services of one man (driver or helper) for loading or unloading of the carrier's equipment, subject to the provisions of Item No. 140.</p>
*126-A Cancels 126	<p>Item canceled. Was suspended by Supplement No. 38.</p>
140-G Cancels 140-F	<p style="text-align: center;">ACCESSORIAL SERVICES</p> <p>When carrier performs, at shipper's or receiver's request or order, service such as stacking, sorting, providing helpers for loading or unloading, or any other like service which is not authorized to be performed under rates named in this tariff, and for which a charge is not otherwise provided, additional charges per man shall be assessed as provided in Item No. 145(a). The charge provided in Item No. 145(b) for unit of equipment shall also apply whenever the accessorial or incidental service requires its use, or whenever the unit of equipment is inactivated by reason of the driver or helper being engaged in such service.</p> <p>The provisions of this item shall not apply when a helper is provided for any reason other than shipper's or receiver's request or order. The reason for supplying helpers shall be recorded on shipping and accessorial service documents.</p>
<p>(1) Tenth Revised Page 19 was suspended by Supplement No. 38.            (2) Ninth Revised Page 19 and Item No. 125(canceled) were suspended by Supplement No. 31.</p> <p>* Change }  <math>\diamond</math> Increase } Decision No. 55815</p>	
<p>EFFECTIVE NOVEMBER 18, 1957</p>	
<p style="text-align: center;">Issued by the Public Utilities Commission of the State of California,            San Francisco, California.</p> <p>Correction No. 792</p>	

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MINIMUM RATE TARIFF NO. 2

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER RATES</p> <p>In the event under the provisions of Items Nos. 200 to 230, inclusive, a rate of a common carrier is used in constructing a rate for highway transportation, and such rate does not include accessorial services performed by the highway carrier the following charges for such accessorial services shall be added (except as otherwise provided in connection with individual rates):</p> <ul style="list-style-type: none"> <li>◊(1) For tailgate loading of carrier's equipment, 1 cent per 100 pounds assessed on the weight on which transportation charges are computed (See Notes 1, 2, 4, 5 and 6);</li> <li>◊(2) For tailgate unloading of carrier's equipment, 1 cent per 100 pounds assessed on the weight on which transportation charges are computed (See Notes 1, 2, 4, 5 and 6);</li> <li>(3) For loading or unloading other than tailgate loading or unloading - 3 cents per 100 pounds (See Notes #1, 3 and 6);</li> <li>(4) For C.O.D. service - charges provided in Item No. 180;</li> <li>(5) For other accessorial services - charges provided in Item No. 145;</li> <li>(6) Split pickup or split delivery shall not be accorded unless included in the common carrier rate (See Items Nos. 220 and 230 for exceptions) except that, on shipments of dried fruit, split delivery may be accorded, subject to the additional charges named in Note 1 of Item No. 170, when all component parts of the shipment are destined to one or more docks, piers or wharves at:       <ul style="list-style-type: none"> <li>(a) San Francisco only, or</li> <li>(b) Alameda, Oakland and/or Richmond, or</li> <li>(c) Stockton only.</li> </ul> </li> </ul> <p>NOTE 1.-The charges for loading and/or unloading shall apply in all circumstances except those on which the shipment is loaded into and/or unloaded from the carrier's equipment, as follows:</p> <ul style="list-style-type: none"> <li>(a) On shipments of grain, in bulk, when loaded and/or unloaded by gravity.</li> <li>(b) By the consignor and/or the consignee, as follows:       <ul style="list-style-type: none"> <li>(1) With power equipment as described in Item No. 10, or</li> <li>(2) When the carrier's equipment is a trailer or semitrailer left for loading and/or unloading without the presence of carrier's employees.</li> </ul> </li> <li>(c) Provided that on shipments described under subparagraphs (a) and (b) above the Shipping Document (Freight Bill) issued pursuant to Item No. 255 indicates that the shipment was loaded and/or unloaded under one of the circumstances described in subparagraphs (a) or (b) above.</li> </ul>

\*240-K  
 Cancels  
 240-J,  
 240-I  
 And  
 240-H

NOTE 2.-When shipments consisting in whole or in part of Oil, Water or Gas Well Outfits and supplies, and other Articles, as described in Item No. 365, moving between points located in Los Angeles and Orange Counties on the one hand and points located in California, Salinas, Fresno and south thereof, on the other hand, are transported:

(a) Under the provisions of Item No. 200, a charge of  $\diamond 3\frac{1}{4}$  cents per 100 pounds shall be added for tailgate loading, and a charge of 3 cents per 100 pounds shall be added for tailgate unloading;

(b) Under the provisions of Paragraph (a) of Item No. 210, a charge of  $\diamond 3\frac{1}{4}$  cents per 100 pounds shall be added for tailgate unloading;

(c) Under the provisions of Paragraph (b) of Item No. 210, a charge of  $\diamond 3\frac{1}{4}$  cents per 100 pounds shall be added for tailgate loading; or

(d) Under the provisions of Paragraph (c) of Item No. 210, no additional charge shall be added for tailgate loading or tailgate unloading.

NOTE 3.-For loading or unloading other than tailgate loading or tailgate unloading of Lumber and Forest Products as described in Item No. 660 or of hay and related articles as described in Items Nos. 657 and 658, the charge will be  $\diamond 2\frac{1}{2}$  cents per 100 pounds.

NOTE 4.-When shipments consisting in whole or in part of Liquors, alcoholic, N.O.I.B.W., as described under that heading in the Western Classification, moving between San Francisco Territory and Los Angeles Territory are transported:

(a) Under the provisions of Item No. 200 a charge of  $\diamond 2\text{-}3/4$  cents per 100 pounds shall be added for tailgate loading, and a charge of  $\diamond 2\frac{1}{2}$  cents per 100 pounds for tailgate unloading;

(b) Under the provisions of Paragraph (a) of Item No. 210, a charge of  $\diamond 2\frac{1}{2}$  cents per 100 pounds shall be added for tailgate unloading;

(c) Under the provisions of Paragraph (b) of Item No. 210, a charge of  $\diamond 2\text{-}3/4$  cents per 100 pounds shall be added for tailgate loading; or

(d) Under the provisions of Paragraph (c) of Item No. 210, no additional charge shall be added for tailgate loading or tailgate unloading.

NOTE 5.-For tailgate loading or tailgate unloading of cement, Portland (building), a charge of  $2\frac{1}{2}$  cents per 100 pounds shall be added.

NOTE 6.-For pickup or delivery service at a point not at street level and where the minimum weight is less than 10,000 pounds, the loading or unloading provisions of this item will not apply and the additional charge provided in Item No. 120 will apply.

\* Change )  
 $\diamond$  Increase ) Decision No. 55815  
 $\circ$  Reduction )  
# Addition )

EFFECTIVE NOVEMBER 18, 1957

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

Correction No. 791