

**ORIGINAL**Decision No. 56077

## 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, relat- )  
 ing to the transportation of general )  
 commodities (commodities for which )  
 rates are provided in Minimum Rate )  
 Tariff No. 2). )

Case No. 5432  
 Petition for  
 Modification No. 79

Frederick L. Hilger and Charles M. Thomas, Jr.,  
 for Northcoast Timber Truckers Association,  
 Petitioners;

A. D. McNeil, Tom B. Markley and C. J. Van Duker, for  
 50 parties opposed to the petition, Interested  
 Parties;

Wm. P. Ciesak, for Rellim Redwood Corporation;  
 Interested Party;

W. C. Cole, for Georgia-Pacific Corporation and  
 Hammond-California Redwood Co., Interested Parties;

John A. Pettis, Jr., for Edmund G. Brown, Attorney  
 General of the State of California, Interested  
 Party,

Marcel J. Gagnon, A. R. Day, John B. Nance, Arthur  
 Mooney and R. J. Carberry, for the Commission's  
 staff.

OPINION ON FURTHER HEARING

The Commission on February 25, 1957, issued Decision No. 54564 in this proceeding prescribing minimum rates for the transportation of logs in Humboldt and Del Norte Counties. In view of the peculiar circumstances surrounding the transportation of logs, the effective date of the rates was set at June 1, 1957 in order to enable carriers and shippers to have an opportunity to consider the effect of the prescribed rates upon their operations and to petition the Commission respecting adjustments believed necessary.

A petition for rehearing or reconsideration was filed on March 18, 1957 by a group of loggers, manufacturers of forest products and carriers of logs stating that they were prepared to offer evidence which would enable the Commission to arrive at just, fair and reasonable minimum rates. The Commission was of the opinion that such evidence should be received and on April 9, 1957 ordered the proceeding reopened for further hearing.

Further hearings were held before Examiner Jack E. Thompson at Eureka on May 9 and 10 and June 24, 25, 26, 27 and 28, 1957.

Upon motion made May 10, 1957 by counsel for a number of loggers, carriers and manufacturers of lumber, the Commission in its Decision No. 54993 dated May 21, 1957 suspended the minimum rates established by Decision No. 54564 until August 20, 1957.<sup>1/</sup>

On June 5, 1957, the loggers, carriers and manufacturers who filed the petition for rehearing, and who for convenience will hereinafter be called protestants, filed a petition for an order rescinding the minimum rates established for Humboldt and Del Norte Counties and asking for the establishment of minimum rates on a state-wide basis.

At the further hearing protestants offered evidence purporting to show that the rates established by Decision No. 54564 are too high; that the establishment of minimum rates for transportation only in Humboldt and Del Norte Counties would discriminate against loggers and manufacturers in those counties by placing them at an unfair disadvantage in competing with loggers and manufacturers in other counties, particularly Siskiyou, Trinity and Mendocino, and that the circumstances and conditions

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<sup>1/</sup> By Decisions Nos. 55430 and 55586 the expiration date of the suspension has been extended.

surrounding the transportation of logs are so diverse that the establishment of minimum rates on a reasonable basis is virtually impossible.

Rellim Redwood Corporation offered evidence purporting to show that the suspended rates are much too high for transportation performed for it and that several roads used in its operations are not properly classified.

Northcoast Timber Truckers Association, hereinafter called petitioner, offered evidence of the transportation characteristics of a number of actual log hauls and an estimate of the cost of transporting logs in Humboldt and Del Norte Counties. Petitioner also revised its rate proposal in several respects; a reduction of the rate for Class B roads from 40 cents to 35 cents and the reclassification of certain highways in Del Norte County from Class C to Class A.

In support of their contention that the establishment of reasonable minimum rates for the transportation of logs is virtually impossible, testimony was presented by protestants showing that the density of logs varies widely not only because of differences in species but also because of differences in the elevations and exposures of the site where the trees are felled and whether the log comes from the butt or the top of the tree. It was pointed out, however, that, while the densities of individual logs may vary widely, the average density of logs produced in one logging operation over the period of a season ordinarily will not vary widely from the average density of logs produced in another operation.

Evidence was also presented showing that the conditions of loading and unloading vary with different points of origin and points of destination. In this regard, the performance data

presented by petitioner covering 58 shipments of logs clearly shows the wide variation of time log truckers are at the landings and at the dumps. The time at the landings ranged from 20 minutes to 245 minutes. The testimony of the drivers of the trucks for the trips shows, however, that the normal amount of time involved in actual loading of the truck is between 10 and 20 minutes. If the time of loading is considered to be the time required for the unloading of the trailer or dolly from the truck, the actual loading of logs, the binding of the load and the scaling of the logs in the load, the normal amount of time involved is between 20 and 30 minutes. According to the performance data and the testimony of the witnesses, it does not necessarily follow that substantially greater time is required to load a number of small logs than a few large logs. Loading equipment varies and it appears that in many cases, loggers utilize equipment best suited for handling the sizes of logs that can be expected. In one case where the timber stand was principally old growth redwood, the logger used equipment best suited for handling large logs. In that instance, where the load consisted of one or two logs the time involved for loading was less than where a greater number of logs were loaded. In another instance the stand of timber produced relatively small logs and the logger used equipment better suited for handling logs of smaller sizes. The trucker testified, "The type loading machine that they use, it's a little awkward (on) the large logs and, therefore, it makes slower loading even though they were handling less logs."

Practically all of the time at the loading site in excess of 30 minutes was delay time or time in which the trucker waited his turn to be loaded. While some delay time is attributable to the truckers, for the most part, the long periods of delay appear

to result primarily because a number of loggers employ more trucks than are required to handle the production. One witness described the situation as follows, "It seems like the majority of the guys that have logs everywhere else I have worked, they log enough for about two trucks and they have three so that if they get an extra log in, they want to get the landing clear that night so the termites won't eat that log up." Many loggers do not operate in this manner, and in such cases, the performance data shows that delays at the landings are not ordinarily encountered.

The record shows that with respect to the 58 shipments, the time at the unloading points ranged between 9 and 75 minutes. The normal time required for the releasing of binders, the unloading of the logs and the placing of the trailer upon the truck is between 10 and 15 minutes. Time over that is time the trucker waited to be unloaded. It appears that extremely long delays occur for the most part, when consignees do not provide adequate facilities for unloading. From the evidence, it appears that at one plant long delays are the rule rather than the exception but that at a number of other plants, where unloading operations are conducted efficiently, delays of more than 5 minutes are unusual.

In support of their contention that the establishment of minimum rates for the transportation of logs in Humboldt and Del Norte Counties would tend to discriminate against loggers and manufacturers of lumber in said counties, protestants introduced evidence regarding the competition at sales of timber in the Six Rivers National Forest, which is in Del Norte and Humboldt Counties and a portion of Trinity County; the Klamath National Forest which generally is in Siskiyou County, and the Trinity National Forest which generally is in Trinity County. Inasmuch as the issue here

involves the establishment of minimum rates for the transportation of logs in Del Norte and Humboldt Counties, and that said rates would not be applicable to transportation where point of origin and point of destination are not within said counties, competition in the purchasing of timber in other counties is not material here. The evidence indicates that loggers and manufacturers of lumber in Del Norte County compete with Oregon manufacturers at sales held by the United States Government for timber in the Six Rivers National Forest. It also indicates that manufacturers and loggers in Humboldt County have competed with mills in the Salyer area in Trinity County for timber in the Hoopa Valley Indian Reservation and in the Friday Ridge area, both in Humboldt County.

Rellim Redwood Corporation presented evidence describing the conditions of a number of highways and roads in Del Norte County over which logs are transported for it. The evidence shows that North Coast Drive (old U.S. 101) and Elk Valley Road compare favorably with class A roads for log trucking operations. Petitioner concurred with Rellim Redwood Corporation that these roads should be designated as Class "A" roads.

Truck drivers, loggers and others who testified in the proceeding were asked questions concerning the conditions of various roads which are regularly used in the transportation of logs. There was no conflict in the testimony regarding road conditions. In general the testimony was that the highways and roads extending from U. S. 101 to Korbek are as good as a number of Class "A" roads and, that while traffic on the Samoa Road is relatively heavy, the road conditions otherwise are not adverse to log hauling. Similar testimony was presented concerning other roads in the vicinity of Humboldt Bay. Road conditions of a number of private roads were

described. In general while there was testimony that a number of such roads compare favorably with Class "A" or Class "B" roads with respect to width, grade, turns and surfaces, the location of these roads is not clear from the testimony.

Protestants offered exhibits showing comparisons of the rates prescribed in Decision No. 54564 with present rates on particular hauls. The rates prescribed in Decision No. 54564 are in some instances as much as 100 percent higher than the present rates. The exhibits offered by protestants set forth, among other things, the present rate, the average loadings, and the distances involved for each class of road traversed on actual hauls.

The data offered by petitioner concerning 58 shipments of logs was used by counsel for petitioner, who is a certified public accountant, in developing estimates of the cost of transporting logs. In developing his estimates, he separated expenses that vary with the distance traversed, such as fuel, repairs and tire expense and obtained a running cost of \$0.422 per mile. Other expenses were treated on a time basis and the witness developed a cost factor of \$7.062 per hour. Assertedly the cost of transporting any particular shipment could be determined by applying the running cost factor to the distance involved and adding the result to the extension of the cost per hour times the number of hours involved.

The running cost estimate was developed by averaging the repair expenses, fuel and lubrication expenses and the tire expenses as shown in the books of four log truckers. The equipment operated by these carriers had been operated many miles and in most cases had been overhauled at least once.

The estimated cost per hour included such expense items as depreciation, driver's wages, payroll charges, insurance, license

taxes, weight fees, and office and telephone. The depreciation expense was derived by straight line method, using a service life of 5 years and a salvage value of \$5,000. The cost or value of the equipment for depreciation purposes was estimated at \$32,296 which represents the present average cost new of a diesel tractor and a trailer fully equipped for the transportation of logs. This includes original tires and original license fees.

An exhibit was offered showing the estimated costs of transporting the 58 shipments referred to above together with the actual charges paid and the charges which would have accrued under the rates prescribed in Decision No. 54564. A summary of that tabulation follows:

No. of Shipments	58
Total Footage Hauled (Scribner)	311,532
Total Miles Involved (Laden & Return)	5,171
Total Time In Minutes	21,387
Estimated Total Cost	\$ 4,566
Actual Charges Paid	\$ 3,126
Charges at Dec. 54564 Rates	5,424

#### Conclusions

The circumstances and conditions surrounding the transportation of logs are not so unusual as to prevent the establishment of reasonable minimum rates. The fact that logs are not identical in their weight per board foot does not present an impossible problem in the establishment of reasonable rates per thousand board foot measure. It is well known in the industry that, in a logging operation, ordinarily more than one species of tree is cut and that there will be butt logs as well as tops. Under present conditions where rates for transportation are "negotiated", except in the case

where hauling is to consist principally of redwood logs, it does not appear that any consideration is given by the trucker to the species of timber or to the density of the logs to be hauled. From their experience, carriers and loggers have knowledge of the amount of board feet of logs the carrier will average on shipments over the period of a season.

Delays at points of origin and at points of destination are not peculiar to the transportation of logs. They are found in the transportation of commodities by dump truck, in the hauling of fresh fruits and vegetables and in the transportation of other commodities for which minimum rates are prescribed. In the case of such transportation where it has been shown that the maintenance of adequate transportation service to the public requires that additional charges be prescribed for instances of delays caused by inefficiencies of consignors and consignees, such charges have been established in the minimum rate tariffs.

It has not been shown that the establishment of minimum rates for the transportation of logs in Humboldt and Del Norte Counties will place loggers and manufacturers in those counties at an undue or unfair disadvantage. It has been shown that manufacturers in Del Norte County compete with manufacturers in Oregon for logs produced in Del Norte County, however the establishment of minimum rates on a state-wide basis would not in any way affect the rates for the transportation of logs from Del Norte County to Oregon points. Humboldt County manufacturers have competed with mills in the Salyer area for logs produced in Humboldt County. The rates for the hauling of logs to Salyer were not shown nor was there any indication that the minimum rates proposed by petitioner are greater, less or the same as the rates for the transportation of

logs to the Salyer mills. With respect to the allegation that the establishment of minimum rates for the transportation of logs would place manufacturers in Del Norte and Humboldt Counties at an unfair disadvantage in the markets, the record contains only the conjectures of two witnesses that an increase in the cost of logs might result in mills in Siskiyou and Trinity Counties capturing a greater share of the Southern California market at the expense of manufacturers in Humboldt and Del Norte Counties.

The evidence presented at further hearing justifies the reclassification of the following roads or portions thereof; Elk Valley Road, Northcoast Drive, Highway U.S. 299, the road on the north bank of the Mad River from U.S. 101 to U.S. 299, Old Arcata Road and Samoa Road.

The cost estimates introduced by petitioner appear to be somewhat high. Depreciation expense was based upon new equipment whereas running costs were based upon the operation of older equipment. On the basis of these somewhat overstated costs and the exhibits presented herein, it would appear that the rates prescribed in Decision No. 54564 would provide an overall operating ratio to the carriers of about 84 per cent. The computation includes the costs attributable to long delays at points of origin and points of destination. It is clear that the rates provided in Decision No. 54564 are higher than minimum reasonable rates for the transportation of logs.

The evidence presented on further hearing supports our finding in Decision No. 54564 that the establishment of minimum rates is necessary to assure the stability of the log transportation industry. Protestants have pointed out the manner in which present rates are "negotiated". From the evidence it is clear that in the

majority of instances the "negotiations" consist of the shipper stating what the rate shall be and the trucker accepting or rejecting the haul. Under present circumstances when the supply of truckers exceeds the demand, the truckers are not in a bargaining position.

The structure of the minimum rates prescribed in Decision No. 54564, in the main appears to be satisfactory. There is a substantial amount of logs which are measured on the Humboldt Scale. The board footage determined under Spaulding Scale is substantially the same as the footage determined under Scribner Decimal "C" Scale and the footage determined under Humboldt Scale is approximately 70 percent of the former. The minimum rates should provide for the use of all three scales. It appears that the progression of rates for Class "A", "B" and "C" roads should be 100, 200, and 300 percent, respectively. It also appears that rates of 14, 28 and 42 cents per thousand board feet per mile (Scribner Decimal "C" and Spaulding Log Scales) and rates of 20, 40 and 60 cents per thousand board feet per mile (Humboldt Log Scale) are just and reasonable mileage rates for the respective classes of roads.

With respect to the basic rate, the evidence on further hearing indicates that the cost of transporting a truckload consisting of a few large logs is not substantially less than the cost of hauling a truckload of a number of smaller logs. Under such circumstances the basic rate should not be based upon the number of logs in a shipment. The basic rate should be sufficient to cover the costs incurred by the carrier during normal loading and

unloading operations. It appears that basic rates of \$2.45 per thousand board feet (Scribner Decimal "C" and Spaulding Log Scales) and \$3.50 per thousand board feet (Humboldt Log Scale) will be just and reasonable.

From applying the rates mentioned above to actual shipments described in the record, it appears that in a few cases the rates will provide charges lower than those actually assessed and that in a number of cases the rates will result in increased charges. In the main, however, the rates are fairly close to the rates assessed.

It is contemplated that the rates which will be established herein will return to the carrier the cost of providing service and a small margin of profit in the transportation of shipments where normal loading and unloading conditions obtain and where delays are not encountered. They are not designed to cover hauls that regularly involve delays at the loading point or the unloading point. No proposal concerning additional charges for delays was offered by any of the parties. It may be that the matter of expediting loading and unloading, or of charges for delays, can best be resolved by cooperation and negotiation between the carrier and the shipper. Under the circumstances, additional charges for delays will not be established by the Commission at this time.

The establishment of minimum rates for logs scaled pursuant to Humboldt Scale as well as Scribner and Spaulding Scales necessitates modifications of the rules and regulations set forth in Decision No. 54564. Other than those changes, the rules and regulations set forth in the aforesaid decision appear to be satisfactory.

As mentioned hereinbefore, there was indication that, insofar as the hauling of logs is concerned, a number of roads maintained by loggers have conditions equivalent to roads classified as "A" or "B". For the most part, these roads are available only to carriers employed by the logger. In some instances carriers engaged in hauling logs for others are required to pay a fee or a toll for using a road maintained by the logger. These individual circumstances can not be given full effect in a minimum rate order of general application. Where unusually favorable circumstances surround a particular haul, the carriers and the shippers may obtain authorization from the Commission under the provisions of Section 3666 of the Public Utilities Code to contract for the transportation of logs at rates less than those which will be established as minimum rates.

From the evidence of record it does not appear that the transportation of logs between points within Humboldt and Del Norte Counties is performed by highway common carriers. In the absence of any evidence of record to the contrary, it cannot now be determined to what extent the minimum log rates to be established herein would be suitable and proper for highway common carriers. The minimum log rates so established, however, will be permitted to alternate with like rates of common carriers for the same transportation as currently provided in Item No. 200 series of Minimum Rate Tariff No. 2.

Upon consideration of all of the facts and circumstances of record, the Commission is of the opinion and finds that the rates provided in the order which follows are just, reasonable and non-discriminatory minimum rates for the transportation of logs between points and places in Humboldt and Del Norte Counties and that

the rules and regulations prescribed therein are necessary to the application and enforcement of said minimum rates.

In view of the highly specialized and restricted scope of operations involved in the transportation of logs, it is felt that the needs of the logging interests would be best served if the minimum log rates were published in a separate tariff. So that the distribution of such tariff publication will be limited to those parties interested, a separate order covering the changes required in Minimum Rate Tariff No. 2 will be issued.

ORDER ON FURTHER HEARING

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 rates, charges, rules and regulations set forth in the tariff designated as Appendix "A", attached hereto, and by this reference incorporated in and made a part of this order, be and they are hereby established and approved, effective February 16, 1958, as the just, reasonable and nondiscriminatory minimum rates and charges to be assessed, charged and collected, and the rules to be observed, by any and all radial highway common carriers and highway contract carriers for the transportation and other services including accessorial services rendered incident thereto, for which rates, charges, rules and regulations are provided in said tariff designated as Appendix "A" hereto,

2. That any and all radial highway common carriers and highway contract carriers be and they are hereby ordered and directed to cease and desist on February 16, 1958, and thereafter abstain from assessing, charging or collecting, rates, charges or

accessorial charges lower in volume or effect than those set forth in said tariff designated as Appendix "A" hereto, and from observing rules resulting in rates and charges lower in volume or effect than those set forth or referred to therein.

3. That except as otherwise provided herein, Petition for Modification No. 79 be and it hereby is denied.

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

Dated at San Francisco, California, this 14<sup>th</sup> day of JANUARY, 1958.

[Signature]  
President

[Signature]

[Signature]

[Signature]  
Commissioners

APPENDIX "A"  
OF  
DECISION NO. 56077  
IN CASE NO. 5432

ISSUED BY  
THE PUBLIC UTILITIES COMMISSION  
OF THE  
STATE OF CALIFORNIA

CONSISTING OF A TARIFF NAMING MINIMUM RATES,  
RULES AND REGULATIONS FOR THE TRANSPORTATION  
OF LOGS IN HUMBOLDT  
AND DEL NORTE COUNTIES OVER THE PUBLIC  
HIGHWAYS WITHIN THE STATE OF CALIFORNIA

BY  
RADIAL HIGHWAY COMMON CARRIERS  
AND  
HIGHWAY CONTRACT CARRIERS

Original Title Page

MINIMUM RATE TARIFF NO. 14

NAMING

MINIMUM RATES, RULES AND REGULATIONS

FOR THE

TRANSPORTATION OF LOGS

IN HUMBOLDT AND DEL NORTE COUNTIES

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 established in Decision No. 35077 in Case No. 5432. Changes will be made by issuing revised or added pages or by issuing supplements.

EFFECTIVE FEBRUARY 16, 1958

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 the tariff.

## CORRECTION NUMBERS

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

ARRANGEMENT OF TARIFF

This is a loose-leaf tariff arranged as follows:

SECTION NO. 1 - Rules and Regulations  
 SECTION NO. 2 - Rates

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SECTION NO. 1

RULES AND REGULATIONS

EFFECTIVE AS SHOWN ON ORIGINAL TITLE PAGE

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

SECTION NO. 1 - RULES AND REGULATIONS	Item No.
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS</p> <p>CARRIER means a radial highway common carrier or a highway contract carrier as defined in the Highway Carriers' Act.</p> <p>COMMON CARRIER RATE means any intrastate rate or rates of any common carrier, or common carriers, defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment; 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>ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</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>LOAD means a quantity of logs transported on one unit of carrier's equipment at one time.</p> <p>MOTOR VEHICLE means any motor truck or other self-propelled highway vehicle, trailer, semi-trailer, pole dolly or any combination of such highway vehicles, operated by the carrier.</p> <p>POINT OF DESTINATION means the precise location at which the log or logs are tendered for physical delivery into the custody of the consignee or his agent. All points within a single industrial plant or receiving area of one consignee shall be considered as one point of destination. An industrial plant or receiving area of one consignee 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 the log or logs are physically delivered by the consignor or his agent into the custody of the carrier for transportation. All points within a single industrial plant or shipping area of one consignor shall be considered as one point of origin. An industrial plant or shipping area of one consignor shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p> <p>SAME TRANSPORTATION means transportation of the same quantity of logs between the same points, and subject to the same limitations, conditions and privileges, but not necessarily in an identical type of equipment.</p> <p>UNIT OF EQUIPMENT means one or more motor vehicles (as herein defined) physically connected so as to form a complete unit.</p>	10
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">APPLICATION OF TARIFF</p> <p>Rates provided in this tariff are minimum rates established pursuant to the Highway Carriers' Act and apply for transportation of logs between points in Humboldt and Del Norte Counties by radial highway common carriers and highway contract carriers as defined in said Act.</p> <p>When a load of logs in continuous through movement is transported by two or more such carriers, the rates (including minimum charges) 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 defined in this tariff or for common carriers defined in the Public Utilities Act.</p>	20
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.						
<p style="text-align: center;"><b>MINIMUM CHARGE</b></p> <p>The minimum charge for each load of logs shall be the amount of board footage set forth below for the equipment used by the carrier at the applicable rate per 1000 board feet determined pursuant to Item No. 110:</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;"><u>Unit of Equipment</u></th> <th style="text-align: right; border-bottom: 1px solid black;"><u>Board Footage</u></th> </tr> </thead> <tbody> <tr> <td>Trucks (including short loggers)</td> <td style="text-align: right;">2500</td> </tr> <tr> <td>Trucks and trailers (1)</td> <td style="text-align: right;">4500</td> </tr> </tbody> </table> <p>(1) Includes tractors and semi-trailers, and tractors and pole dollies.</p>	<u>Unit of Equipment</u>	<u>Board Footage</u>	Trucks (including short loggers)	2500	Trucks and trailers (1)	4500	30
<u>Unit of Equipment</u>	<u>Board Footage</u>						
Trucks (including short loggers)	2500						
Trucks and trailers (1)	4500						
<p style="text-align: center;"><b>UNITS OF MEASUREMENT IN QUOTATION OF RATES AND CHARGES</b></p> <p>Rates 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>	40						
<p style="text-align: center;"><b>LOADS TO BE RATED SEPARATELY</b></p> <p>Each load of logs shall be rated separately. Loads shall not be consolidated nor combined by the carrier.</p>	50						
<p style="text-align: center;"><b>REFERENCES TO ITEMS AND OTHER TARIFFS</b></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>	60						
<p style="text-align: center;"><b>ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</b></p> <p>Common carrier rates, except rates of coastwise common carriers by vessel, 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 than results from the application of the rates herein provided. (See Notes 1, 2 and 3.)</p> <p>NOTE 1.-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 2.-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 3.-Common carrier rates may not be used in combination with the rates named in this tariff.</p>	70						
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SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)		Item No.
CLASSIFICATION OF ROADS (See Note)		
<u>Classi- fication</u>	<u>Description</u>	
A	<ol style="list-style-type: none"> <li>1. U.S. Highway 101, except that portion of 11½ miles extending from Wilson Creek Bridge to Old Humboldt Road (Elk Farm Road).</li> <li>2. U. S. 199.</li> <li>3. Northcoast Drive (Old U.S. 101), from Crescent City to U.S. Highway 101.</li> <li>4. Elk Valley Road, from Crescent City to U.S. Highway 199.</li> <li>5. U.S. Highway 299, from U.S. Highway 101 to the junction with an unnumbered road to Korbelt.</li> <li>6. Unnumbered road from Blue Lake and Korbelt to U.S. Highway 299.</li> <li>7. Unnumbered road on north side of Mad River extending from U.S. Highway 101 to U.S. Highway 299.</li> <li>8. All streets in incorporated cities.</li> </ol>	
B	<ol style="list-style-type: none"> <li>1. U.S. Highway 101 between Wilson Creek Bridge and Old Humboldt Road (Elk Farm Road).</li> <li>2. U.S. Highway 299 from the junction with road to Korbelt to Humboldt County Boundary.</li> <li>3. State Highway 96.</li> <li>4. State Highway 36 from Alton to Bridgeville.</li> <li>5. Bayside Road (Old Arcata Road).</li> <li>6. Samoa Road from U.S. Highway 101 to Fairhaven.</li> </ol>	80
C	All roads and highways in Humboldt and Del Norte Counties other than those specified under Class A and Class B.	
<p>NOTE: Where the point of destination is a log dump which is one mile or less distant from the point at which the carrier turns off a thoroughfare (Class A, Class B or Class C Road), the distance from the junction point at the turnoff to the log dump shall be mileage of the class for the thoroughfare from which the turnoff was made and shall be added in the computation of the mileage traversed over said thoroughfare (Class A, Class B or Class C).</p>		
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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 loads of logs 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 logs 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 billing covering a load 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 billing 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 billing.</p> <p>(c) Where a carrier has relinquished possession of logs and collected the amount of charges represented in a bill presented by it as the total amount of such charges, and another 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 bill.</p> <p>(d) Billing for all transportation 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 the billing 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 billing.</p> <p>(f) The mailing by the debtor of valid checks, drafts, or money orders, which are satisfactory to the carrier, in payment of transportation 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>	<p>90</p>
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">MAINTENANCE OF RECORDS BY CARRIERS</p> <p>1. Carrier shall maintain a record, either in single or multiple form, of each load transported; such record or records shall show with respect to each load transported the following information:</p> <ul style="list-style-type: none"> <li>(a) The name of the carrier.</li> <li>(b) The name and address of the shipper.</li> <li>(c) The point of origin or loading point.</li> <li>(d) The point of destination or dump.</li> <li>(e) The charge paid by the shipper</li> <li>(f) The date the load was hauled.</li> <li>(g) The designation of the method of scaling used to determine the amount of board feet in the shipment, (i.e., Scribner Decimal "C", Spaulding, Humboldt).</li> <li>(h) The amount of board footage of logs in the load (supported by a scaler's ticket or scaler's certification).</li> <li>(i) The number of logs in the load.</li> <li>(j) The number of miles traversed on Class A roads.</li> <li>(k) The number of miles traversed on Class B roads.</li> <li>(l) The number of miles traversed on Class C roads.</li> <li>(m) The type of unit of equipment.</li> </ul> <p>2. Where the information required above is recorded on more than one document, the documents containing such information shall be fastened together.</p> <p>3. The record of each load transported and all documents relating to the logs transported, including scaler's tickets, shall be retained and preserved by the carrier subject to the Commission's inspection at a place in California, for a period of not less than three years from the date the load was transported.</p>	100
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SECTION NO. 2

RATES

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SECTION NO. 2 - RATES		Item No.												
Rates in cents per 1000 board feet of log or logs for each load transported														
<p>1. The applicable charge shall be determined by adding the basic rate per 1000 board feet as provided in paragraph 2 hereof to the distance rate per 1000 board feet of log or logs as provided in paragraph 3 hereof, and applying the composite rate so determined to the number of board feet in the load. (See Note 1.)</p> <p>2. The basic rate is 245 cents per 1000 board feet, of log or logs, Scribner Decimal "C" or Spaulding Scale; and 350 cents per 1000 board feet, Humboldt Scale.</p> <p>3. The distance rate is the aggregate of the rate per mile for each road classification times the number of miles traversed over roads in each classification. (See Note 2.) The rates in cents per 1000 board feet of log or logs per mile are as follows:</p>														
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Class of Road (See Item No. 80)</th> <th style="text-align: center;">Scribner Decimal "C" &amp; Spaulding Scales</th> <th style="text-align: center;">Humboldt Scale</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">A</td> <td style="text-align: center;">14</td> <td style="text-align: center;">20</td> </tr> <tr> <td style="text-align: center;">B</td> <td style="text-align: center;">28</td> <td style="text-align: center;">40</td> </tr> <tr> <td style="text-align: center;">C</td> <td style="text-align: center;">42</td> <td style="text-align: center;">60</td> </tr> </tbody> </table>		Class of Road (See Item No. 80)	Scribner Decimal "C" & Spaulding Scales	Humboldt Scale	A	14	20	B	28	40	C	42	60	110
Class of Road (See Item No. 80)	Scribner Decimal "C" & Spaulding Scales	Humboldt Scale												
A	14	20												
B	28	40												
C	42	60												
<p>(Example: For a 30-mile haul under Scribner Decimal "C" or Spaulding Scale consisting of 10 miles in each classification the distance rate is 140 + 280 + 420 or a total of 840 cents per 1000 board feet.)</p> <p>NOTE 1.-Charges apply to all logs transported. No allowance or deduction shall be made for a defective log or logs.</p> <p>NOTE 2.-Mileages refer to actual road mileages for each class of road traversed from the point of origin or loading point to the point of destination or dump. Within each classification where mileages end in a fraction, omit fractions of less than <math>\frac{1}{2}</math> mile, and increase fractions of <math>\frac{1}{2}</math> mile or greater to 1 mile.</p>														
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