

ORIGINAL

Decision No. 542610

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into)
the rates, rules, regulations, charges,)
allowances and practices of all common)
carriers, highway carriers and city)
carriers, relating to the transportation)
of property in the City and County of)
San Francisco, and the Counties of)
Alameda, Contra Costa, Marin, Monterey,)
Napa, Santa Clara, Santa Cruz, San)
Benito, San Mateo, Solano and Sonoma.)

Case No. 5441

SUPPLEMENTAL OPINION AND ORDER

On March 3, 1958, the Supreme Court of the United States in Public Utilities Commission of the State of California, vs. The United States, 2 L. ed. 2d, 470, held that the state may not infringe upon the right of the Federal Government to obtain transportation at such rates as it may negotiate. This decision finally disposed of the case of United States of America, Plaintiff, vs. Public Utilities Commission of the State of California, Defendant, Civil Action No. 35101, in the United States District Court for the Northern District of California, Southern Division.

In the circumstances, City Carriers' Tariff No. 1-A will be amended to exempt clearly the transportation of property of the United States.

Therefore, good cause appearing,


IT IS ORDERED that City Carriers' Tariff No. 1-A (Appendix "A" of Decision No. 41363, as amended) be and it is hereby further amended by incorporating therein to become effective June 20, 1958, Thirteenth Revised Page 15, which revised page is attached hereto and by this reference made a part hereof.


C. 5441-AC

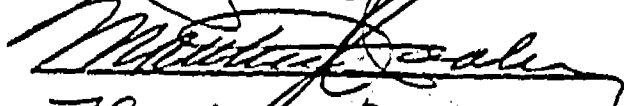
In all other respects said Decision No. 41363, as amended, shall remain in full force and effect.

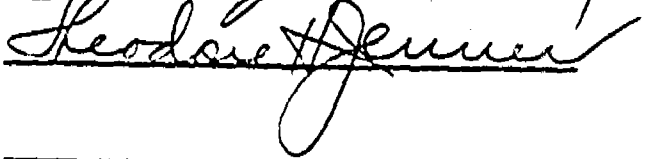
This order shall become effective on the date hereof.

Dated at San Francisco, California, this 27th day of May, 1958.



President






Commissioners

Item No.	SECTION NO. 1-RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">APPLICATION OF TARIFF-COMMODITIES</p> <p>Rates in this tariff apply for the transportation of all commodities except the following:</p> <p>Accessories and supplies, motion picture; film, motion picture, Automobiles, Automobile parts, accessories, and related articles in secondary movement by truckaway service when subject to the rates, rules and regulations set forth in Minimum Rate Tariff No. 12, amendments thereto or reissues thereof,</p> <p>Baggage,</p> <p>Cement, hydraulic, masonry, natural or Portland-also lime, common (including magnesium lime, hydrated or hydraulic lime, quick or slaked), cement flue dust, and/or limestone, powdered, shipped in mixed shipments with cement-when transported in shipments of 40,000 pounds or more, or when transported in shipments of lesser weights subject to the rates, rules and regulations, including the minimum charge computed on a minimum weight of 40,000 pounds, which are set forth in Minimum Rate Tariff No. 10, amendments thereto or reissues thereof,</p> <p>Commodities weighing 100 pounds or less per piece or package when delivered from retail stores, or when returned to the original retail store shipper via the carrier which handled the outbound movement,</p> <p>Commodities which consist of or contain materials essential to National Defense and which have been donated to and are transported for the United States Government, governmental agencies, or nonprofit organizations acting for or in behalf of said government in the collection, assembly or transportation of said commodities in connection with the recovery of said essential materials from the commodities transported,</p> <p>Fat, sweet cream, concentrated, frozen,</p> <p>Fruits and vegetables, fresh or green (not cold pack or frozen), except as provided for in Section 7 of this tariff,</p> <p>Livestock,</p> <p>Motor vehicles when towed by a tow car,</p> <p>Newspapers; newspaper supplements, sections or inserts; (not scrap or waste),</p> <p>Pickup and delivery of common carrier shipments transported from or to points outside the San Francisco city limits under through pickup and delivery rates,</p> <p>Printed Matter, viz.: Advertising Matter, Books, Directories, Magazines, Pamphlets, Periodicals, Rating Books, Registers or Services; when tendered to one carrier at one time in a single lot consisting of identical articles for distribution to not less than eight separate addresses and where the weight of each delivery does not exceed 25 pounds,</p> <p>*Property transported for the United States Government, Property shipped to or from producers of motion pictures or television shows when transported subject to the rates, rules and regulations provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended,</p> <p>Property transported in dump trucks,</p> <p>*Property transported to a United States post office for mailing and United States mail transported from a post office to the addressee thereof,</p> <p>Telephone Directories, new, distributed to subscribers; old, picked up from subscribers,</p> <p>Unloading and distribution of freight forwarders' cars originating at points outside the State,</p>

*50-11
 Cancels
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Furniture, household appliances and other home furnishings, transported from retail stores where they have been sold at retail by a retail merchant, or transported from retail customers to retail stores,

Liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles,

Used Property, viz.: Household goods, office and store fixtures and equipment, as described in and for which rates are provided in Minimum Rate Tariff No. 4-A, amendments

thereto or reissues thereof, and used property as described therein transported for the United States, State, County or Municipal governments, Voting booths, ballot boxes, election tents and election supplies, when transported from or to polling places.

* Change)
Addition) Decision No. 56766

EFFECTIVE JUNE 20, 1958

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

Correction No. 274