

ORIGINAL

Decision No. 56889

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into the rates, rules and regulations, charges, allowances and practices of all common carriers, highway carriers and city carriers relating to the transportation of any and all commodities between and within all points and places in the State of California (including, but not limited to, transportation for which rates are provided in Minimum Rate Tariff No. 2).

Case No. 5432

SUPPLEMENTAL OPINION AND ORDER

Item No. 600 of Minimum Rate Tariff No. 2 sets forth rates for the transportation of certain beverages and tonics and beverage containers. Paragraph (b) of the Circle 2 reference mark in that item provides for an additional charge per unit of equipment to be assessed by the carrier for the placing or carrying of any sign or signs, or advertising matter, upon such unit of equipment.

By an informal ruling designated as No. 1, issued on January 9, 1950, the Commission staff interpreted the term "unit of equipment" as used in this item to mean "a truck, a truck and trailer, a tractor and semitrailer, or any combination of the foregoing operated in a train." The Commission knows of no contrary view. The tariff item will be clarified accordingly.

Also, the same item includes the commodity description: "Liquors, vinous, containing not more than 3.2% alcohol by weight." It has been brought to the Commission's attention that this commodity is no longer shipped. The tariff will be amended accordingly.

Therefore, good cause appearing,

IT IS ORDERED:

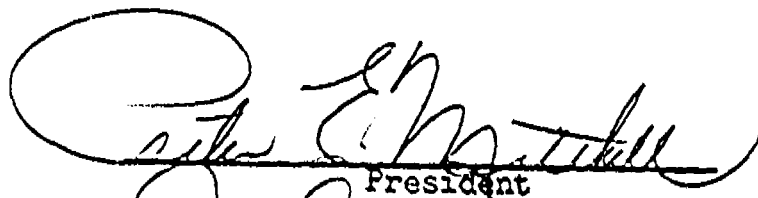
(1) That Minimum Rate Tariff No. 2 (Appendix "D" of Decision No. 31606, as amended) is hereby further amended by incorporating therein to become effective July 25, 1958, Fourteenth Revised Page 11 and Sixth Revised Page 46, which revised pages are attached hereto and by this reference made a part hereof.

(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 of the tariff changes herein involved.

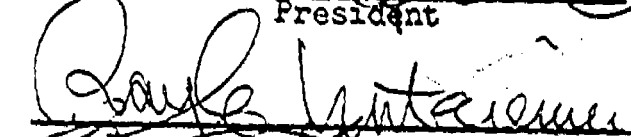
In all other respects said Decision No. 31606, as amended, shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

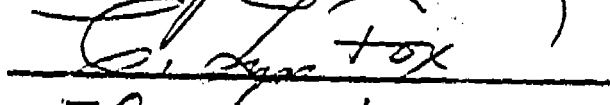
Dated at San Francisco, California, this 24th day of June, 1958.



President









Commissioners

| Item No. | SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION |
|---|---|
| *10-N Cancels 10-M | DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11) |
| | <p>CARRIER means a radial highway common carrier or a highway contract carrier as defined in the Highway Carriers' Act, or a household goods carrier as defined in the Household Goods 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 as a single unit.</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; also any interstate or foreign rate of any common carrier railroad or railroads applying between points in California in effect at time of shipment and covering transportation exempt from rate regulation of the Interstate Commerce Commission under Section 203(b) (6) of Part II of the Interstate Commerce Act.</p> |
| | <p>DISTANCE TABLE means Distance Table No. 4, amendments thereto or reissues thereof.</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>EXCEPTION SHEET means Pacific Southcoast Freight Bureau Exception Sheet No. 1-S, Cal.P.U.C. No. 193 of J. P. Haynes, Agent, and supplements thereto or reissues thereof when the provisions of such supplements or reissues have been approved by the Commission.</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>PALLETIZED SHIPMENT means a shipment tendered to and transported by the carrier on pallets (elevating-truck pallets or platforms or lift-truck skids, with or without standing sides or ends, but without tops).</p> |
| | <p>PICKUP AND DELIVERY CHARGE means the full charge applicable without the deduction authorized by Item No. 110.</p> |
| <p>POINT OF DESTINATION means the precise location at which property is 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> | |

POINT OF ORIGIN means the precise location at which property is 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.

POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including electric powered cranes and lift-truck equipment.

RAILHEAD means a point at which facilities are maintained for the loading of property into or upon, or the unloading of property from, rail cars or vessels. It also includes truck loading facilities of plants or industries located at such rail or vessel loading or unloading point.

RATE includes charge and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.

SAME TRANSPORTATION means transportation of the same kind and quantity of property between the same points, and subject to the same limitations, conditions and privileges, but not necessarily in an identical type of equipment.

* Change, Decision No. 56889

EFFECTIVE JULY 25, 1958

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 832

| Item No. | SECTION NO. 3 | | | | |
|--|--|---|---|-----------|-----------|
| | COMMODITY RATES In Cents per 100 Pounds | | | | |
| | COMMODITY | BETWEEN | AND | RATE | |
| *600-F Cancel 600-E | Beverages and Tonics, viz.: Beverages made from cereals (not distilled), carbonated or not carbonated, fermented or unfermented, Beverages (other than beverages made from cereals, not distilled), carbonated, flavored or phosphated (not including extracts, syrups, or dealcoholized or non-alcoholic cordials and liqueurs), Extracts, viz.: malt extract, liquid. Fruit Juice (unfermented, not syrup), artificial or natural, sweetened or unsweetened, Ginger Ale, Liquors, malt, viz.: Ale, Beer, Beer Tonic, Porter, Stout, *** | SACRAMENTO (See Item No. 260) SAN FRANCISCO TERRITORY as described in Item No. 270 | LOS ANGELES TERRITORY as described in Item No. 270 | (1)(2) 45 | |
| | Soda (flavored or not flavored), Syrup, viz.: Grape Juice, Malt, Water, viz.: distilled, plain, mineral or salt, - - - - - Minimum Weight 18,000 Pounds | | | FRESNO | (1)(2) 22 |
| | Beverage Containers, empty, used or secondhand, - - - - - Minimum Weight 10,000 Pounds | SACRAMENTO (See Item No. 260) SAN FRANCISCO TERRITORY as described in Item No. 270 | LOS ANGELES TERRITORY as described in Item No. 270 | | (1)(2) 48 |
| | | | | FRESNO | (1)(2) 25 |
| (1) Subject to Item No. 900. (2) When accessorial services are rendered by carrier in connection with shipments moving under rates in this item the following charges shall be in addition to rates shown: (a) For loading or unloading, other than tailgate loading or tailgate unloading 3½ cents per 100 pounds. (b) Advertising on equipment—an additional charge of not less than \$2.69 per unit of carrier's equipment per trip, loaded or empty, shall be assessed by the carrier for the placing or carrying of any sign or signs, or advertising matter, upon such equipment. (c) For other accessorial charges, see Items Nos. 140 and 180. | | | | | |
| *Change ***Liquors, vinous, deleted) Decision No. 56889 | | | | | |
| EFFECTIVE JULY 25, 1958 | | | | | |
| Issued by the Public Utilities Commission of the State of California, San Francisco, California. | | | | | |
| Correction No. 833 | | | | | |