

ORIGINAL

Decision No. 57735

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 Los Angeles and Orange Counties (transportation for which rates are provided in Minimum Rate Tariff No. 5).

Case No. 5435
(Petition for Modification
No. 17)

SUPPLEMENTAL OPINION AND ORDER

Minimum Rate Tariff No. 5 sets forth minimum rates, rules, and regulations for transportation performed within the Los Angeles Drayage Area. Item No. 10 (d-a) thereof names certain holidays to be used in connection with various rates provided in the tariff. By this petition the California Trucking Associations, Inc. seeks the inclusion of December 24 as a holiday in that item.

The petition alleges that as a result of recent labor agreements, December 24 is now a day for which premium holiday wages must be paid.

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is justified. The petition will be granted. A public hearing is not necessary. ✓

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Minimum Rate Tariff No. 5 (Appendix "A" of Decision No. 32504, as amended) is hereby further amended by incorporating therein, to become effective January 31, 1959, Sixth Revised Page 7, which revised page is attached hereto and by this reference made a part hereof. ✓

(2) That tariff publications required to be made by common carriers as a result of the order herein may be made effective not earlier than the effective date hereof on not less than three days' notice to the Commission and to the public; and that such tariff publications shall be made effective not later than January 31, 1959. ✓

In all other respects said Decision No. 32504, as amended, shall remain in full force and effect.

This order shall become effective twentydays after the date hereof. ✓

Dated at San Francisco, California, this 16th day of December, 1958.

E. L. Fox
President
Robert L. Starnes
Montgomery J. Dale
Richard J. Finer
Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION
	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11)</p> <p>(a) CARRIER means a carrier, as defined in the City Carriers' Act, or a radial highway common carrier or a highway contract carrier, as defined in the Highway Carriers' Act.</p> <p>(b) 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>(c) COMMON CARRIER RATE means any intrastate rate or rates of any common carrier, or common carriers, as defined in the Public Utilities Act, on file with the Commission and in effect on date of shipment.</p> <p>(d) 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 said supplements or reissues have been approved by the Commission.</p> <p>* (d-a) HOLIDAYS mean New Year's Day, Washington's Birthday, Decoration Day, Fourth of July, Labor Day, Thanksgiving Day, # December 24 and Christmas Day.</p> <p>(d-b) 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>(e) 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> <p>(f) 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.</p> <p>(g) RATE includes charge, and also the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p>(h) SAME TRANSPORTATION means transportation of the same kind and quantity of property and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.</p>

*10-F
Cancels
10-E

(i) SHIPMENT means a quantity of freight tendered by one shipper on one shipping document at one point of origin at one time for one consignee at one point of destination. (See also paragraph (j).)

(Concluded on page 8)

* Change }
Addition }
^ Increase }

EFFECTIVE January 31, 1959 ✓

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

Correction No. 262