

ORIGINAL

Decision No. 58473

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 livestock and related items (commodities for which rates are provided in Minimum Rate Tariff No. 3-A).

Case No. 5433

SUPPLEMENTAL OPINION AND ORDER

Decision No. 56763 of May 27, 1958, in this proceeding, amended Minimum Rate Tariff No. 3-A to exempt therefrom property transported for the United States Government. The use of the word "for" in the exemption has given rise to the argument that shippers other than the United States may negotiate rates in cases where shipments are consigned to the United States.

To set this question at rest, the tariff will be amended so as to exempt "property of the United States, or property transported under an agreement whereby the United States contracted for the carrier's services."

Therefore, good cause appearing,

IT IS ORDERED that Minimum Rate Tariff No. 3-A(Appendix "A" of Decision No. 55587, as amended) is hereby further amended by incorporating therein to become effective June 19, 1959, Second Revised Page 5, which revised page is attached hereto and by this reference made a part hereof.

In all other respects said Decision No. 55587, 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 22nd day of May, 1959.

*E. L. Fox*  
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President  
*W. C. ...*  
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*Theodore ...*  
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*Everett ...*  
\_\_\_\_\_  
Commissioners

SECTION NO. 1-RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;"><b>APPLICATION OF TARIFF-CARRIERS</b></p> <p>Rates provided in this tariff are minimum rates, established pursuant to the Highway Carriers' Act and apply for transportation of livestock by radial highway common carriers and highway contract carriers, as defined in said Act.</p> <p>When livestock in continuous through movement is transported by two or more carriers, the rates 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. This exception shall not be construed to exempt from the tariff provisions carriers for whom the independent contractors are performing transportation service.</p>	20
<p style="text-align: center;"><b>APPLICATION OF TARIFF-TERRITORIAL</b></p> <p>Rates in this tariff apply for transportation of shipments of livestock between all points within the State of California, except:</p> <p>(a) Transportation service all of which is rendered in territory within the exterior boundaries of a city.</p> <p>(b) Shipments having both point of origin and point of destination within the Los Angeles Drayage Area, as described in Minimum Rate Tariff No. 5, amendments thereto and reissues thereof.</p> <p>(c) Shipments having point of origin or destination at Corn Fed Cattle Co. feed lot, 5440 Southern Avenue, South Gate, on the one hand and point of destination or origin within the Los Angeles Drayage Area referred to in exception (b) of this item on the other.</p>	30
<p style="text-align: center;"><b>APPLICATION OF TARIFF-COMMODITIES</b></p> <p>Rates in this tariff apply for the transportation of livestock, (See Exception) viz.:</p> <p>Barrows, Boars, Bulls, Butcher Hogs, Calves, Cattle, Cows, (1) Dairy Cattle, Ewes, Feeder Pigs, Gilts, Goats, Heifers, Hogs, Kids, Lambs, Oxen, Pigs, Rams (Bucks), Sheep, (2) Sheep Camp Outfits, Sows, Steers, Stags, Swine, or Wethers.</p> <p>(1) For specific rates on Dairy Cattle, see Section 3 of this tariff.</p> <p>(2) For application of rates on Sheep Camp Outfits, see Item No. 120.</p> <p>*EXCEPTION - Rates do not apply to the transportation of property of the United States, or property transported under an agreement whereby the United States contracted for the carrier's services.</p>	*40-B Cancels 40-A
*Change, Decision No. <b>58473</b>	
EFFECTIVE JUNE 19, 1959	
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 8	