

Decision No. 58475

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into the rates,)	
rules, regulations, charges, allowances and prac-)	
tices of all common carriers, highway carriers)	
and city carriers relating to the transportation)	Case No. 5437
of sand, rock, gravel and related items (com-)	
modities for which rates are provided in Minimum)	
Rate Tariff No. 7).)	

SUPPLEMENTAL OPINION AND ORDER

Decision No. 56766 of May 27, 1958, in this proceeding, amended Minimum Rate Tariff No. 7 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. 7 (Appendix "A" of Decision No. 32566, as amended) is hereby further amended by incorporating therein to become effective June 19, 1959, Seventh Revised Page 4, which revised page is attached hereto and by this reference made a part hereof.

In all other respects said Decision No. 32566, 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.

[Signature] President
[Signature]
[Signature]
[Signature]
[Signature] Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS (Continued)
20-B Cancels 20-A	<p style="text-align: center;">APPLICATION OF TARIFF-CARRIERS</p> <p>Rates provided in this tariff are minimum rates, established pursuant to the Highway Carriers' Act, and the City Carriers' Act. They apply for transportation of property by radial highway common carriers and highway contract carriers, as defined in said Highway Carriers' Act, and by carriers as defined in said City Carriers' Act, in bulk in dump truck equipment.</p> <p>Except as otherwise provided in Items Nos. 45, 93 and 94 rates, rules and regulations named in this tariff shall not apply to transportation by underlying carriers (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 underlying carriers are performing transportation service.</p>
*25-A Cancels 25	<p style="text-align: center;">APPLICATION OF TARIFF-GENERAL</p> <p>Rates in this tariff 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>
30-A Cancels 30	<p style="text-align: center;">APPLICATION OF TARIFF-TERRITORIAL</p> <p>Rates in this tariff apply for transportation between all points within the State of California.</p>
35	<p style="text-align: center;">REFERENCES TO ITEMS AND OTHER TARIFFS</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>
40	<p style="text-align: center;">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates named herein shall be the actual mileages traversed, including any detour to and from scales to obtain weight of shipment.</p>
<p>* Change, Decision No. 58475</p>	
<p style="text-align: center;">EFFECTIVE JUNE 19, 1959</p>	
<p style="text-align: center;">Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 747</p>	