

Decision No. 58478

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 of)
uncrated new furniture (commodities for which rates)
are provided in Minimum Rate Tariff No. 11-A).)

Case No. 5603

SUPPLEMENTAL OPINION AND ORDER

Minimum Rate Tariff No. 11-A exempts 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." A similar clarification will be made in the tariff exemption applicable to state, county or municipal governments.

Therefore, good cause appearing,

IT IS ORDERED that Minimum Rate Tariff No. 11-A (Appendix "A" of Decision No. 50114, 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. 50114, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 22nd day of May, 1959.

E. L. Fox
President
W. H. ...
...
Commissioners

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<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. They apply for the transportation of uncrated new furniture by radial highway common carriers and highway contract carriers as defined in said act.</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;">APPLICATION OF TARIFF - TERRITORIAL</p> <p>Rates in this tariff apply to transportation of shipments between all points within the State of California, except transportation:</p> <ol style="list-style-type: none"> (1) Within incorporated cities; (2) Within or between zones described in the following Commission tariffs: <ol style="list-style-type: none"> (a) City Carriers' Tariff No. 2-A- Highway Carriers' Tariff No. 1-A (b) Los Angeles Drayage Area as described in Minimum Rate Tariff No. 5. (c) Minimum Rate Tariff No. 9-A. 	30-A Cancels 30
<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;">APPLICATION OF TARIFF - COMMODITIES</p> <p>Rates in this tariff apply to the transportation of uncrated new furniture except:</p> <ol style="list-style-type: none"> (1) When transported from retail stores or retail store warehouses where the property has been sold at retail by a retail merchant or transported from retail customers to retail stores or retail store warehouses. * (2) Property of the United States, state, county or municipal governments or property transported under an agreement whereby the governments contracted for the carrier's services. 	*50-B Cancels 50-A
<p>* Change, Decision No. 58178</p>	
<p>EFFECTIVE JUNE 19, 1959</p>	
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 11</p>	