

ORIGINAL

Decision No. 53669

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 cement and related products (commodi-
ties for which rates are provided in
Minimum Rate Tariff No. 10).

Case No. 5440
Order Setting Hearing
dated May 22, 1959

Edwin S. Acker, for Miles & Sons Trucking Service,
respondent.

Max Binswanger, for Max Binswanger Trucking,
repondent.

Don A. Hughes, for Paxton Trucking Company, respondent.

Wallace K. Downey, for California Portland Cement
Company, interested party.

C. R. Boyer, for Southwestern Portland Cement Company,
interested party.

S. A. Moore, for Permanente Cement Company, interested
party.

Lauren M. Wright, for Riverside Cement Company, Division
of American Cement Corporation, interested party.

Eugene A. Feise, for Calaveras Cement Company,
interested party.

Joseph T. Enright and Waldo A. Gillette, for Monolith
Portland Cement Company, interested party.

Paul S. Barnett, for Ideal Cement Company, interested
party.

W. G. Higgins, for Pacific Cement and Aggregates, Inc.,
interested party.

J. C. Kaspar, Lawrence R. Exley, Arlo D. Poe and
James Quintrall, for California Trucking Associations,
Inc., interested party.

M. J. Gagnon, for the Commission's staff.

O P I N I O N

This phase of Case No. 5440 pertains to proposals of the Commission's Transportation Division and of others that Minimum Rate Tariff No. 10, which sets forth minimum rates, rules and regulations governing the transportation of cement and related commodities by highway carriers, be revised in certain respects.

Public hearings on the proposals were held before Examiner C. S. Abernathy at San Francisco on September 3, 1959, and at Los Angeles on September 11, 1959. Evidence was presented by a rate expert of the Commission's staff and by several cement manufacturers. Representatives of other cement manufacturers and of the California Trucking Associations, Inc., likewise participated in the development of the record.

The principal revisions of Minimum Rate Tariff No. 10 which are proposed by the Commission's Transportation Division involve the tariff rules affecting palletized shipments, mixed shipments of bulk and sacked cement, shipments transported in multiple lots, and the use of the rates of rail carriers for transportation by highway carriers. According to testimony of the rate witness, the main purpose of the revisions is the removal of uncertainties which experience has demonstrated are existent in the present rules. For example, the witness said that question has arisen as to whether mixed shipments of bulk and sacked cement are permitted under the present tariff provisions. He proposed the clarification of the tariff in this respect by the addition of a specific item covering mixed shipments and the method for computing charges when mixed shipments are transported.

Discussion of each of the rule changes which the rate witness recommended is not necessary. For the most part his proposals were supported by the other parties to this phase of Case No. 5440. Certain of the parties suggested modifications in some of the proposed items. In general, the rate witness concurred in these suggestions.

However, in a material respect -- that involving the tariff rules applicable to the transportation of empty pallets -- representatives of the cement companies differed with the recommendations of the rate witness. The recommendations in this regard are that Minimum Rate Tariff No. 10 be ~~amended to state~~ that the rates therein do not apply for the transportation of empty pallets. The amendment would be made for clarification only. No change in the minimum rate provisions which apply to the transportation of empty pallets would result. Shipments of empty pallets would be for the future, as they now are, subject to the rates, rules and regulations in Minimum Rate Tariff No. 2. Generally speaking, this tariff provides that empty pallets, returning (or pallets being shipped for a return pay load) shall be subject to a rate of one-half of fourth class. However, pallets which are used in transportation subject to provisions of Minimum Rate Tariff No. 10 are exempted from the provisions of Minimum Rate Tariff No. 2. Thus, no specific charges are named for the transportation of pallets in the latter instance.^{1/}

^{1/} According to the rate witness, carriers would be expected to assess a charge for the return of pallets in connection with transportation which is performed under Minimum Rate Tariff No. 10, even though no specific charges are named. The amount of the charges in such instances would be determined by negotiations between the shipper and carrier involved.

Representatives of the cement companies argued that Minimum Rate Tariff No. 10 should be amended to include specific provisions governing the movement of pallets in connection with transportation under that tariff. The representatives of the cement companies that operate in northern California urged that such amendment state that the rates include the return of pallets or the shipment of pallets for a return pay load. They asserted that the rates that apply in northern California territory are now sufficiently high to include the return of pallets without additional charge.^{2/} On the other hand the representatives of the cement companies that operate in southern California recommended that a flat charge of 20 cents a pallet be established. They introduced evidence to show that such a charge, when considered together with savings which would accrue to the carriers in the transportation of palletized shipments, would be compensatory.

As a further recommendation involving pallets, returning, various of the cement company representatives urged that the present rule be restated to permit the application of the rule to pallets which are returned in exchange for those used in the transportation of outbound shipments. They pointed out that the present provisions for pallets, returning, apparently apply only to the return of the identical pallets that move in conjunction with outbound shipments. In support of this recommendation they

2/ Effective September 25, 1959, certain of the rates that apply for transportation in northern California were increased pursuant to Decision No. 58901, dated August 18, 1959. The increases were made in response to allegations of the California Trucking Associations, Inc., that since 1956 when the rates were previously adjusted the carriers have experienced three increases in labor costs and that other of their operating expenses have been increased also. The rate increases which were so established were made applicable to transportation for distances of 120 miles or less.

said that from a practical operational standpoint it would be extremely difficult for their companies to maintain the identity of pallets by shipment and to have the identical pallets returned by the same carrier that transported the outbound load.

With reference to the question of the charges for the transportation of empty pallets, returning, (or empty pallets shipped for a return pay load), we do not agree with the contentions of the cement companies that operate in northern California territory that the present rates should be deemed to include the movement of the empty pallets. The decision to increase said rates to their present level (Decision No. 58901, supra) is clear that the increases were established upon considerations of the increased cost of service and not upon the inclusion of additional services such as the return of empty pallets. It may not be concluded from the mere volume of the rates that they are sufficient to compensate the carriers reasonably for the return of pallets. Pending further information on this subject the present provisions governing empty pallets, returning, (or empty pallets shipped for a return pay load), will be continued in effect in northern California territory. For southern California territory, however, the charge of 20 cents a pallet appears reasonable and justified. It should be adopted.

Also should be adopted the recommendations of the cement companies concerning extension of the present provisions governing empty pallets, returning, (or empty pallets shipped for a return pay load), to include pallets which are shipped in exchange used in the transportation of an outbound or inbound pay load. It appears that limiting the application of the rule

to only the identical pallets used in the transportation of outbound or inbound shipments of cement and related products tends to impede, rather than to promote, the attainment of efficiencies that may be gained through the usage of pallets. It appears, furthermore, that from a transportation standpoint, the limitation serves little, if any, useful purpose, inasmuch as when the exchange involves corresponding pallets, the identity of the pallets has little, if any, effect upon their transportation characteristics.

In addition to the exceptions which were taken to the proposals advanced by the rate witness relating to pallets, one other exception which should be touched upon is one which was taken by a representative of the Monolith Portland Cement Company to the proposal concerning the circumstances under which a highway carrier may combine rates for highway transportation with those for transportation by rail. As applied to shipments of bulk cement the present provisions of Minimum Rate Tariff No. 10 permit the charging of rates of rail carriers in combination with rates of highway carriers "only when bulk cement facilities for loading and unloading motor vehicles are available at points to which and from which the common carrier rates would apply." The rate witness proposed that this rule be revised to permit combination rates as indicated "only when permanent facilities for transloading bulk cement are available at the points to which and from which the common carrier rates apply, said facilities to be available to the public." The position of the representative for Monolith Portland Cement Company with respect to the rule which the rate witness proposed is that said rule is unduly restrictive and that the rules and regulations applicable to rates of rail carriers are the only

conditions that should limit the use of those rates for highway carriage.

The record is clear that the proposal which the rate witness advanced concerning combination rates stems from the premises that in order for a highway carrier to assess a combination rate as indicated, the services which are involved must be physically possible and that the combination rate should reflect the rates and charges that would apply were the transportation actually performed via the routes over which the combination rate was constructed. It appears from the exceptions of the Monolith company that the position of that company is that the combination rate need not necessarily include provision for all of the services that are involved -- services, for example, such as the transloading of a shipment from rail car to the motor vehicle of the highway carrier. This position is not well founded. The combination rates represent a departure from the rates which the Commission has otherwise determined to be reasonable minimum rates for highway carriage and are based in part upon the statutory provisions permitting a highway carrier to assess rates of rail carriers "for the transportation of the same kind of property between the same points".^{3/} Where services are performed which are not covered by the rail rate, a charge for those services should be included in the combination rate. Were such a charge not to be assessed, the combination rate would be unjustifiably below the minimum rate which would otherwise apply.

The revised rule dealing with combination rates which the rate witness recommended should be adopted. In the adoption of said rule, a minor change in a portion of the rule dealing with

3/ Section 3663, Public Utilities Code.

the availability of transloading facilities should be made for purposes of clarity.

The Commission is of the opinion and finds as a fact that the establishment of the revised rates, rules and regulations in Minimum Rate Tariff No. 10 which are prescribed in the following order has been shown to be justified and that said revised rates, rules and regulations are and will be reasonable and nondiscriminatory minimum rate provisions for the services to which they apply. The Commission is of the further opinion and finds that to the extent that the rates, rules and regulations of common carriers whose operations are subject to Minimum Rate Tariff No. 10 are less, in volume or effect, than the rates, rules and regulations hereinafter prescribed, the rates, rules and regulations of said common carriers are lower than a reasonable and sufficient level and not justified by transportation conditions, and that said common carriers should effect such increases as are necessary to make their rates, rules and regulations conform to those hereinafter prescribed.

O R D E R

Based on the evidence of record and on the findings and conclusions contained in the preceding opinion,

IT IS HEREBY ORDERED that:

1. Minimum Rate Tariff No. 10 (Appendix "A" of Decision No. 44633, as amended) be and it is hereby further amended by incorporating therein, to become effective April 8, 1960, the revised pages attached hereto and listed in Appendix 1, also attached hereto, which pages and appendix by this reference are made a part hereof.

2. Tariff publications required or authorized 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 five days' notice to the Commission and to the public; and that such required tariff publications shall be made effective not later than April 8, 1960.

3. In all other respects the aforesaid Decision No.44633, 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 16th day of February, 1960.

Carroll H. Page
President
John E. Mitchell
Walter H. Kosh
C. H. Fox
Theodore H. Turner
Commissioners

APPENDIX "1" TO DECISION NO. 59669

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Authorized by Said Decision

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(End of Appendix "1")

ARRANGEMENT OF TARIFF

This is a loose-leaf tariff arranged as follows:

Section No. 1 - Rules and Regulations

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Section No. 3 - Form of Shipping Document

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*Change)
#Addition) Decision No. 59669

EFFECTIVE APRIL 8, 1960

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

Correction No. 23

SECTION NO. 1 - RULES AND REGULATIONS	Item No..
<p data-bbox="654 461 860 491" style="text-align: center;">DEFINITIONS</p> <p data-bbox="287 524 1176 652">(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 data-bbox="287 685 1156 749">(b) COMMISSION means the Public Utilities Commission of the State of California.</p> <p data-bbox="287 782 1212 1062">(c) COMMON CARRIER RATE means any intrastate rate or rates of any common carrier, or common carriers, as defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment; also any interstate rate of any common carrier railroad or railroads applying between points in California via an interstate or foreign route, lawfully in effect at time of shipment.</p> <p data-bbox="287 1095 1153 1159">(d) DISTANCE TABLE means Distance Table No. 4, amendments thereto, or reissues thereof.</p> <p data-bbox="287 1192 1179 1352">#(e) EXCEPTION SHEET means Exception Sheet 1-S, Pacific Southcoast Freight Bureau, Agent, and supplements thereto or reissues thereof when the provisions of such supplements or reissues have been approved by the Commission.</p> <p data-bbox="287 1386 1176 1600">(f) 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 data-bbox="287 1633 1158 1793">(g) MOTOR VEHICLE means any motor truck, tractor or other self-propelled highway vehicle used for transportation of property over the public highways, and any trailer, semi-trailer, dolly or other vehicle drawn thereby.</p> <p data-bbox="287 1826 1212 1982">#(h) PALLETS means second-hand (used) pallets as described in and subject to the provisions of Item No. 300 of the Exception Sheet. It also means pallets which are returned or shipped in exchange for identical pallets.</p> <p data-bbox="287 2015 1232 2283">(i) POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent, except that (1) all locations within a radius of 50 feet from a single point, and (2) all locations on the property of a single consignee within a radius of 300 feet from a single point will be considered as one point of destination.</p>	

*10-C
Cancels
10-B

(j) 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, except that (1) all locations within a radius of 50 feet from a single point, and (2) all locations on the property of a single consignor within a radius of 300 feet from a single point will be considered as one point of origin.

*(k) POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including electric powered cranes and lift truck equipment.

(l) 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.

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

(n) 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.

*(o) SHIPMENT means a quantity of property tendered for transportation to one carrier at one time on one shipping document by:

(1) one shipper at one point of origin for one consignee at one point of destination; or

(2) one shipper at one point of origin for one consignee at more than one point of destination, or for more than one consignee at one or more points of destination (split delivery).

**

(p) UNIT OF EQUIPMENT means one or more motor vehicles (as herein defined) physically connected so as to form a complete unit.

*Change)
#Addition) Decision No. 59669
**Note eliminated)

EFFECTIVE APRIL 8, 1960

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Correction No. 24

SECTION NO. 1--RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates provided in this tariff are for the transportation of shipments from point of origin to point of destination, and include the services of the driver only for loading into and unloading from carrier's motor vehicle (See Note).</p> <p>NOTE.-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>	<p style="text-align: center;">20-B Cancels 20-A</p>
<p style="text-align: center;">APPLICATION OF TARIFF - CARRIERS</p> <p>Rates provided in this tariff are minimum rates, established pursuant to the City Carriers' Act, and the Highway Carriers' Act. They apply for the transportation of property by carriers as defined in said City Carriers' Act, and radial highway common carriers and highway contract carriers, as defined in said Highway Carriers' Act.</p> <p>When property in continuous through movement is transported by two or more such carriers, the rates (including minimum charges) 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>	<p style="text-align: center;">30-B Cancels 30-A</p>
<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES</p> <p>*Rates in this tariff apply for the transportation of Cement, hydraulic, masonry, natural or Portland, in bulk or in packages (subject to Item No. 65).</p> <p>Rates in this tariff apply also to the following commodities when shipped in mixed shipments with cement in packages and when the shipments originate in Northern Territory as defined in Item No. 80:</p> <p style="padding-left: 40px;">Lime, common, including magnesium lime, hydrated or hydraulic, quick or slaked, in packages; Cement flue dust, in packages; and/or Limestone, powdered, in packages.</p> <p>#Except as otherwise provided in Item No. 220, rates in this tariff do not apply to shipments of empty pallets.</p>	<p style="text-align: center;">*40-A Cancels 40</p>
<p style="text-align: center;">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates named herein shall be the shortest resulting mileage via any public highway route computed in accordance with the method provided in the Distance Table (See Exception):</p> <p style="padding-left: 40px;">EXCEPTION - The distance between Crestmore and Riverside shall be four constructive miles.</p>	<p style="text-align: center;">50-B Cancels 50-A</p>

COMPUTATION OF CHARGES - WEIGHTS

*Charges shall be assessed on the gross weight of the shipment. No allowance shall be made for the weight of the containers. (See Exceptions)

EXCEPTIONS -

(1) On shipments packed in cloth or 4, 5 or 6-ply paper bags or sacks the following applies:

<u>Commodity</u>	<u>When the Packed Net Weight Per Package is:</u>	<u>Charges will be Assessed on Gross Weight Per Package of:</u>
Cement, hydraulic, natural or Portland	94 pounds	95 pounds
Cement, masonry or mortar	70 pounds	71 pounds
Cement flue dust	84 pounds	85 pounds
#Cement, plastic, gun	96 pounds	97 pounds
Lime	50 pounds	50 1/2 pounds
Lime	60 pounds	60 1/2 pounds
Lime	100 pounds	101 pounds
Limestone, powdered	100 pounds	101 pounds

*60-A
Cancels
60

#(2) When palletized shipments are loaded and unloaded by power equipment, the weight of the pallets (elevating truck pallets or platforms or lift truck skids) shall not be used in determining the weight of the shipment nor the charges thereon. When palletized shipments are loaded or unloaded by other than power equipment, the weight of the pallets (elevating truck pallets or platforms or lift truck skids) shall be used in determining the gross weight of the shipment and the charges thereon. This exception applies only in connection with the rates contained in this tariff, and is not applicable to shipments of empty pallets. When rail rates are used under the provisions of Items Nos. 150 through 170 of this tariff, the weight of the pallets shall be included or excluded in accordance with the provisions of the governing rail tariff.

*Change) Decision No. 59669
#Addition)

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San Francisco, California.

Correction No. 25

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.								
<p style="text-align: center;">MIXED SHIPMENTS</p> <p>When commodities in bulk and in packages are included in a single shipment separate weights shall be obtained for the bulk and the sacked commodities. Charges will be computed at the separate rates applicable to each such commodity in straight shipments of the combined weight of the mixed shipment. The minimum weight for such mixed shipment shall be 40,000 pounds. Any deficiency between actual weight of the shipment and the minimum weight provided herein shall be computed at the rate applicable to the lowest rated commodity in the shipment.</p>	#65								
<p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL</p> <p>Rates in this tariff apply for the transportation of commodities named in Item No. 40 between all points within the State of California.</p>	70								
<p style="text-align: center;">TERRITORIAL DESCRIPTIONS</p> <p>NORTHERN TERRITORY includes all points north of the following boundary line: Beginning at a point on the shore line of the Pacific Ocean due south of Gaviota, thence northeasterly along an imaginary straight line to the junction point of Santa Barbara, Ventura and Kern County boundaries, northerly and westerly along the westerly boundary of Kern County to the junction point of Kern, San Luis Obispo and Kings Counties, thence easterly along the northerly boundary lines of Kern and San Bernardino Counties to the California-Nevada boundary line.</p> <p>SOUTHERN TERRITORY includes all points south of the southern boundary line of northern territory.</p>	80								
<p style="text-align: center;">MINIMUM CHARGE</p> <p>The minimum charge per shipment shall be the charge for 40,000 pounds at the applicable rate.</p>	90-A Cancels 90								
<p style="text-align: center;">ACCESSORIAL SERVICES</p> <p>When carrier performs any accessorial or incidental service which is not authorized to be performed under rates named in this tariff, and for which a charge is not otherwise provided, additional charges shall be assessed as follows:</p> <table data-bbox="826 1970 1321 2202"> <thead> <tr> <th colspan="2">Charges in Cents</th></tr> <tr> <th>For First 30 Minutes or Fraction Thereof</th><th>For Each Additional 15 Minutes or Fraction Thereof</th></tr> </thead> <tbody> <tr> <td>(a) For Driver, Helper, or other Employee per Man</td><td>147</td></tr> <tr> <td>(b) For Unit of Equipment</td><td>63</td></tr> </tbody> </table> <p>The charge for unit of equipment shall apply whenever the accessorial or incidental service requires its use, or whenever the unit of equipment is inactivated by reason of its driver or helper being engaged in such service.</p>	Charges in Cents		For First 30 Minutes or Fraction Thereof	For Each Additional 15 Minutes or Fraction Thereof	(a) For Driver, Helper, or other Employee per Man	147	(b) For Unit of Equipment	63	100-B Cancels 100-A
Charges in Cents									
For First 30 Minutes or Fraction Thereof	For Each Additional 15 Minutes or Fraction Thereof								
(a) For Driver, Helper, or other Employee per Man	147								
(b) For Unit of Equipment	63								

DIVERTED SHIPMENTS

Charges upon shipments diverted at request of consignor or consignee shall be assessed upon the basis of the charge established for the constructive mileage applicable via the point or points where diversion occurs, subject to Item No. 100.

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#Addition, Decision No. 59669

EFFECTIVE APRIL 8, 1960

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

Correction No. 26

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p data-bbox="419 392 1120 428">SHIPMENTS TRANSPORTED IN MULTIPLE LOTS</p> <p data-bbox="223 458 1290 621">(a) When a carrier is unable to pick up an entire shipment at one time, or when more than one vehicle, or connected train of vehicles, are used to pick up the entire shipment, the following provisions shall apply in addition to other applicable rules and regulations:</p> <ol data-bbox="299 652 1182 1442" style="list-style-type: none"><li data-bbox="299 652 1182 749">1. The entire shipment shall be available to the carrier for immediate transportation at the time of the first pickup.<li data-bbox="299 779 1182 876">2. A single shipping document for the entire shipment tendered shall be issued prior to or at the time of the first pickup.<li data-bbox="299 907 1182 1065">3. An additional shipping document shall be issued for each pickup and shall give reference to the single shipping document and shall be attached thereto and become a part thereof.<li data-bbox="299 1095 1182 1253">4. The entire shipment shall be picked up by the carrier within a period of two days computed from 12:01 a.m. of the date on which the first pickup commences, excluding Saturdays, Sundays and legal holidays.<li data-bbox="299 1284 1182 1442">5. The separate pickups made in accordance with the foregoing provisions shall constitute a composite shipment which shall be subject to the rates named or provided for in this tariff. <p data-bbox="223 1472 1273 1610">(b) Any property separately picked up without complying with the foregoing provisions shall constitute a separate shipment and shall be subject to the rates, rules and regulations applicable thereto.</p>	#115
# Addition, Decision No. 59669	
EFFECTIVE APRIL 8, 1960	
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 27	

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>Common carrier rates, except rates of coastwise common carriers by vessel, may be applied in lieu of the rates provided in this tariff when such common carrier rates produce a lower aggregate charge for the same transportation between the same points of origin and destination, and for the same accessorial services, than results from the application of the rates herein provided. (See Notes 1, 2 and 3.)</p> <p>*NOTE 1.-When a rail carload rate is subject to varying minimum weights, dependent upon the size of the car ordered or used, the lowest minimum weight obtainable under such weight provisions may be used in applying the basis provided in this item. #When a rail carload rate is subject to a minimum weight based solely upon the marked capacity of the car ordered or used, a minimum weight of 100,000 pounds shall be used.</p> <p>NOTE 2.-Common carrier rates may be applied for the transportation of bulk cement only when bulk cement facilities for loading and unloading motor vehicles are available at the points to which and from which the common carrier rates apply.</p> <p>NOTE 3.-In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.</p>	<p>*150-B Cancels 150-A</p>
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES</p> <p>When lower aggregate charges result, rates provided in this tariff may be used in combination with common carrier rates, except rates of coastwise common carriers by vessel, for the same transportation as follows:</p> <p>(a) When point of origin is located beyond railhead and point of destination is located at railhead, add to the common carrier rate applying from any railhead to point of destination the rate provided in this tariff for the distance from point of origin to the railhead from which the common carrier rate applies. (See Notes 1, 2, 3 and 4.)</p> <p>(b) When point of origin is located at railhead and point of destination is located beyond railhead, add to the common carrier rate applying from point of origin to any railhead the rate provided in this tariff for the distance from the railhead to which the common carrier rate used applies to point of destination. (See Notes 1, 2, 3 and 4.)</p> <p>(c) When both point of origin and point of destination are located beyond railhead, add to the common carrier rate applying between any railheads the rate provided in this tariff for the distance from point of origin to railhead from which the common carrier rate used applies, plus the rate provided in this tariff for the distance from the railhead to which the common carrier rate used applies to point of destination. (See Notes 1, 2, 3 and 4.)</p> <p>NOTE 1.-If the route from point of origin to the railhead, or from the railhead to point of destination, is within the corporate limits of a single incorporated city, the rates provided in this tariff for transportation for distances of 3 miles or less shall apply from point of origin to the railhead or from the railhead to point of destination as the case may be.</p>	<p>*160-C Cancels 160-B</p>

EXCEPTION.-If the route is between Los Angeles zones as described in the Distance Table, the provisions of this Note do not apply.

*NOTE 2.-When a rail carload rate is subject to varying minimum weights, dependent upon the size of the car ordered or used, the lowest minimum weight obtainable under such minimum weight provisions may be used in applying the basis provided in this item. #When a rail carload rate is subject to a minimum weight based solely upon the marked capacity of the car ordered or used, a minimum weight of 100,000 pounds shall be used.

*NOTE 3.-Common carrier rates may be applied for the transportation of bulk cement in combination with rates provided in this tariff only when bulk cement transfer facilities are available in operating condition for public use or within the control of consignor or consignee, and are available for transfer of cement from or to motor vehicles, as the circumstances require, at the transfer point from which or to which the common carrier rates apply.

NOTE 4.-In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.

* Change)
Addition)

Decision No. 59669

EFFECTIVE APRIL 8, 1960

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

Correction No. 28

Empty Pallets, Second Hand (Used),

- (a) Returning after being used in the transportation of a palletized cement shipment, or returning in exchange for pallets used in the transportation of a palletized cement shipment, to the consignor of the cement shipment, or
- (b) Shipped for use, or in exchange for pallets to be used, to the consignor of a palletized cement shipment, per pallet 20 cents
(Subject to
Notes 1 and 2)

#4220

NOTE 1-The provisions of this item apply only in connection with pallets used in the transportation of cement subject to rates in Southern Territory.

NOTE 2-The provisions of this item apply only when the empty pallets are transported by the same carrier utilized in the transportation of the cement shipment.

◊Increase)
#Addition) Decision No. 59669

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Correction No. 29

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Cancels
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MINIMUM RATE TARIFF NO. 10

SECTION NO. 3

FORM OF SHIPPING DOCUMENT

**

** Reference to Item No. 220 eliminated, Decision No. 59669

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