

Decision No. 60129

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 practices of all common
 carriers, highway carriers and city car-
 riers 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. 19

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 60177 entered today in this pro-
 ceeding and related proceedings, the Commission established minimum
 rates, rules and regulations for the services of obtaining transpor-
 tation permits, providing escort and for transportation over circui-
 tous routes as required by transportation permits. The Commission
 found that said rates, rules and regulations should be incorporated
 into the several minimum rate tariffs by separate orders, therefore,

IT IS ORDERED:

1. That Minimum Rate Tariff No. 5 (Appendix "A" of
 Decision No. 32504, as amended) is further amended by incorporating
 therein to become effective July 15, 1960, the revised pages attached
 hereto and by this reference made a part hereof, which pages are
 numbered as follows:

- Fifth Revised Page 2
- Seventh Revised Page 7
- Second Revised Page 15-A
- Original Page 16-A
- Fourth Revised Page 37

2. That tariff publications required to be made by common
 carriers as a result of the order herein may be filed not earlier
 than the effective date hereof, to become effective on not less than


five days' notice to the Commission and to the public, and that such tariff publications shall be made effective not later than July 15, 1960.

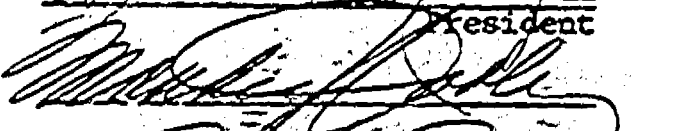
3. That common carriers, in lieu of establishing the tariff provisions provided by the order herein, may elect not to transport permit shipments or to provide escort service, in which case said common carriers shall establish in their tariffs a provision stating that transportation of permit shipments or furnishing of escort service will not be provided together with a definition of such excluded transportation or service.

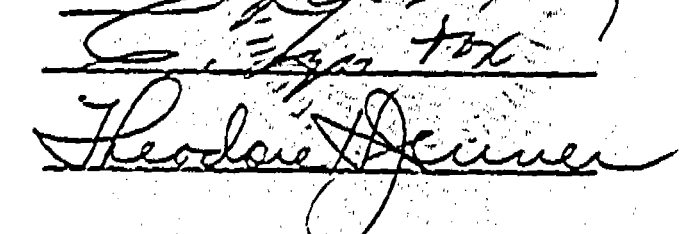
4. That, in all other respects, said Decision No. 32504, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 24th day of May, 1960.



President


C. J. Fox


Theodore Deaver

Commissioners

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EFFECTIVE JULY 15, 1960	
Issued by the Public Utilities Commission of the State of California, San Francisco, California.	
Correction No. 266	

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION
	<p data-bbox="618 481 1169 549" style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11)</p> <p data-bbox="394 578 1453 710">(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="394 739 1385 872">(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 data-bbox="394 900 1419 1033">(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 data-bbox="394 1062 1385 1195">#(ca) ESCORT SERVICE means the furnishing of pilot cars or vehicles by a carrier as may be required by any governmental agency to accompany a shipment for highway safety.</p> <p data-bbox="394 1223 1462 1385">(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 data-bbox="394 1413 1385 1499">(da) 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 data-bbox="394 1528 1427 1716">(db) 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="394 1744 1479 1906">#(dc) PERMIT SHIPMENT means a shipment which because of its width, length, height, weight or size requires special authority from a governmental agency regulating the use of highways, roads or streets for the transportation of such shipment in whole or in part.</p> <p data-bbox="394 1934 1470 2223">(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>

*10-G
Cancels
10-F

(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.

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

(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.

(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).)

(Continued in Item No. 11)

* Change)
Addition) Decision No. **60180**

EFFECTIVE JULY 15, 1960

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 267

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
90.1	<p style="text-align: center;">MIXED SHIPMENTS (Concluded)</p> <p>3. Intrastate and Interstate Tonnage: When property consisting of part intrastate and part interstate tonnage is received as a single shipment, the intrastate portion may be charged for at the rate which would be applicable on such portion were the entire quantity intrastate in character. In no event shall the aggregate charge on the intrastate and interstate portions be less than the charge herein provided for an intrastate shipment of the same combined quantity.</p>
*95-A Cancels 95	<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENT</p> <p>(1) A shipping document (either in individual or manifest form) shall be issued by the carrier to the shipper for each shipment received for transportation. The shipping document shall show the following information (see Exception):</p> <ul style="list-style-type: none"> (a) Name of shipper. (b) Name of consignee. (c) Point of origin. (d) Point of destination. (e) Description of the shipment (in terms of the Western Classification or Exception Sheet or as provided in this tariff). (f) Weight of the shipment (or other factor or measurement upon which charges are based). (g) Rate and charge assessed. (h) Such other information as may be necessary to an accurate determination of the applicable minimum rate and charge. <p>#(2) For the transportation of (1) permit shipments or (2) shipments requiring escort service, the following information, wherever applicable, shall be shown on all shipping documents issued by the carrier in connection therewith and shall be in addition to the information required to be shown by Paragraph (1) of this item:</p> <ul style="list-style-type: none"> (a) Permit identification of all permit shipments. (See Item No. 10.) (b) Any escort service furnished and the authority therefor. (See Item No. 10.) <p>** (3) The forms of shipping documents in Items Nos. 440 and 450 will be suitable and proper.</p> <p>*** (4) A copy of each shipping document, also of each delivery receipt and freight bill to which reference is made in the Exception below, shall be retained and preserved by the issuing carrier, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.</p>

EXCEPTION. The shipping document in manifest form may be issued to the shipper without all the information proscribed in Paragraph (1) of this item when supplemented by the issuance to consignees of freight bills, or delivery receipts and freight bills containing the required information not shown on said shipping document in manifest form.

** Formerly designated as Paragraph 2.
*** Formerly designated as Paragraph 3.

* Change } Decision No. 60180
Addition }

EFFECTIVE JULY 15, 1960

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 268

Item No. SECTION NO. 1. -- RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)

CHARGES FOR ESCORT SERVICE

In addition to all other applicable rates and charges named in this tariff, the following charges shall be assessed on shipments requiring escort service:

(a) A charge of \$5.00 per hour, plus 8 cents per actual mile, shall be made for each escort vehicle and driver furnished, for the time and distance said vehicle and driver are engaged in such service. (See Notes 1 and 2.)

(b) A charge shall be made equal to the actual cost of any bridge or ferry tolls incurred for each escort car.

NOTE 1.--Service shall commence with departure of each escort vehicle from its point of dispatch and terminate with the return of each escort car to its point of dispatch, excluding off-duty hours.

NOTE 2.--Charges for fractions of an hour shall be determined in accordance with the following table:

MINUTES		
Over	Not Over	
0	8omit
8	23 shall be 1/4 hour
23	38 shall be 1/2 hour
38	53 shall be 3/4 hour
53	60 shall be 1 hour

CHARGES FOR PERMIT SHIPMENTS

In addition to all other applicable rates and charges named in this tariff, the following charges shall be assessed on shipments requiring transportation permits:

(a) A charge of \$6.00 shall be made for the service of securing each permit, and

(b) A charge shall be made equal to the fee, if any, assessed by the governmental agency for issuing each permit.

Addition) Decision No. **60180**
 ♦ Increase)

EFFECTIVE JULY 15, 1960

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.
 Correction No. 269

Item No.	SECTION NO. 5 - UNIT RATES, RULES AND REGULATIONS
*400-D Cancels 400-C	<p style="text-align: center;"> RULES AND REGULATIONS (Items Nos. 400 and 401) </p> <p> *(a) Rates named in this section are subject to Items Nos. 10 and 11, Definition of Technical Terms; Items Nos. 30, 31, 32 and 33, Application of Tariff--Territorial; Item No. 40, Application of Tariff--Commodities; Item No. 85, Units of Measurement in Quotation of Rates and Charges; Item No. 95, Issuance of Shipping Document; #0Item No. 126, Charges for Escort Service; #0Item No. 128, Charges for Permit Shipments; Item No. 150, Collect on Delivery (C.O.D.) Shipments; and Item No. 160, Collection of Charges. They are not subject to other rules and regulations provided in Section No. 1. </p> <p> (b) Rates named in this section apply only when the property is transported by one carrier for one shipper. </p> <p> (c) Prior to the transportation of the property, the shipper must enter into a written agreement with the carrier to ship at rates no lower than those provided in this section, stating specifically the class of service desired. Except as herein provided, no single agreement shall cover shipments transported over a period in excess of 31 days. EXCEPTION: An agreement covering transportation performed subject to the rates provided in Columns 3 or 4 of Item No. 430 may be made for a period in excess of 31 days. </p> <p> The agreement shall be in substantially the following form, and the original or a copy thereof shall be retained and preserved by the carrier, subject to the Commission's inspection, for a period of not less than three (3) years from the date of its issuance. </p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p style="text-align: right;">Date -----</p> <p> ΔIn accordance with the provisions of Items Nos. 400 and 401 of Minimum Rate Tariff No. 5 (Appendix "A" of Decision No. 32504, as amended in Case No. 4121), I hereby elect to have ----- (identify transaction)----- transported by -----(carrier)----- from -----(point of origin)----- to -----(point of destination)----- at the rate of -----(see note)----- under the rates and provisions of Item No. -----(see note)----- of said tariff. </p> <p> Shipper ----- By ----- (name in full) (name in full) </p> <p>Confirmed:</p> <p> Carrier ----- By ----- (name in full) (name in full) </p> <p> NOTE.—In the event shipper and carrier agree to a basis higher than that provided by the Item, but in the same unit or units of measurement in which the minimum basis is stated, the agreed basis may be stated in place of the Item Number. </p> </div> <p style="text-align: center;">(Continued in Item No. 401)</p>

* Change)
Δ Change, neither increase)
nor reduction)
Addition)
◇ Increase)

Decision No. **60180**

EFFECTIVE JULY 15, 1960

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San Francisco, California.
Correction No. 270