

Decision No. 50357

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into the rates, rules and regulations, charges, allowances and practices of all common carriers, highway carriers and city carriers relating to the transportation of any and all commodities between and within all points and places in the State of California (including, but not limited to, transportation for which rates are provided in Minimum Rate Tariff No. 2).

Case No. 5432  
Petition for Modification  
No. 186

SUPPLEMENTAL OPINION AND ORDER

By this petition, filed June 1, 1960, California Trucking Associations, Inc., seeks an amendment to Note 1 to Item No. 240 of Minimum Rate Tariff No. 2 to embrace grain products and related articles. The note sought to be amended concerns the assessment of a charge for the service of loading or unloading from carrier's equipment when a permit carrier applies rates of a common carrier.

The petition also seeks authority for common carriers to depart from the long-and-short-haul provisions of Section 460 of the Public Utilities Code and Article XII, Section 21, of the Constitution of the State of California to the extent necessary to carry out the proposed revision.

Petitioner alleges that the present provisions of the tariff do not adequately reflect the diversity of grain products and related articles included in the grain commodity rates established by Decision No. 59084, dated September 29, 1959, in this proceeding. The proposed revision will result in no increases in charges, but will result in reduced charges under some conditions.

In the circumstances, it appears, and the Commission finds, that the proposed revision will result in just, reasonable and nondiscriminatory minimum rates and charges. A public hearing is not necessary. The petition will be granted.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Minimum Rate Tariff No. 2 (Appendix "D" to Decision No. 31606, as amended) is further amended by incorporating therein, to become effective August 26, 1960, Nineteenth Revised Page 26, which revised page is attached hereto and by this reference made a part hereof.

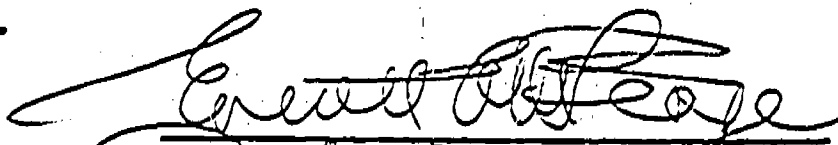

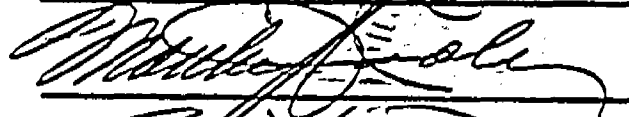
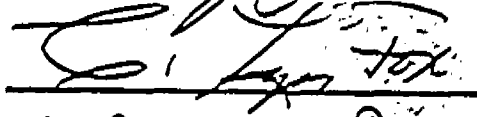
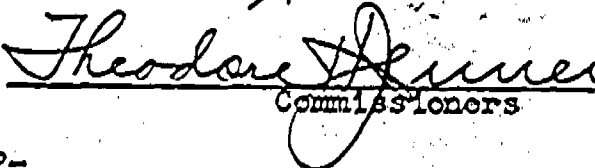
(2) That tariff publications authorized to be made by common carriers as a result of the order herein may be filed not earlier than the effective date hereof and may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff page incorporated in this order.

(3) That common carriers are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code and Article XII, Section 21, of the Constitution of the State of California, to the extent necessary to carry out the effect of the order herein.

(4) That in all other respects said Decision No. 31606, 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  
5<sup>th</sup> day of July, 1960.

  
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President  
  
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Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER RATES</p> <p>In the event under the provisions of Items Nos. 200 to 230, inclusive, a rate of a common carrier is used in constructing a rate for highway transportation, and such rate does not include accessorial services performed by the highway carrier the following charges for such accessorial services shall be added (except as otherwise provided in connection with individual rates):</p> <ol style="list-style-type: none"> <li>(1) For loading of carrier's equipment, 2 cents per 100 pounds assessed on the weight on which transportation charges are computed (See Notes 1, 2, 4, 5 and 6);</li> <li>(2) For unloading of carrier's equipment, 2 cents per 100 pounds assessed on the weight on which transportation charges are computed (See Notes 1, 2, 4, 5 and 6);</li> <li>(4) For C.O.D. service - charges provided in Item No. 180;</li> <li>(5) For other accessorial services - charges provided in Item No. 145;</li> <li>(6) Split pickup or split delivery shall not be accorded unless included in the common carrier rate (See Items Nos. 220 and 230 for exceptions) except that, on shipments of dried fruit, split delivery may be accorded, subject to the additional charges named in Note 1 of Item No. 170, when all component parts of the shipment are destined to one or more docks, piers or wharves at: <ol style="list-style-type: none"> <li>(a) San Francisco only, or</li> <li>(b) Alameda, Oakland and/or Richmond, or</li> <li>(c) Stockton only.</li> </ol> </li> </ol> <p>NOTE 1.-The charges for loading and/or unloading shall apply in all circumstances except:</p> <ol style="list-style-type: none"> <li>(a) When rates provided in this tariff are applied in combination with common carrier rates under the provisions of: <ol style="list-style-type: none"> <li>(1) Paragraph (a) of Item No. 210, only the accessorial charge for unloading shall be assessed,</li> <li>(2) Paragraph (b) of Item No. 210, only the accessorial charge for loading shall be assessed, and</li> <li>(3) Paragraph (c) of Item No. 210, no charge for either loading or unloading shall be assessed.</li> </ol> </li> <li>(b) When the shipment is loaded into and/or unloaded from the carrier's equipment as follows: <ol style="list-style-type: none"> <li>(1) On shipments of grain, #6 rice, grain products and related articles as described in Items Nos. 652 through 652<math>\frac{1}{2}</math>, in bulk, when loaded and/or unloaded by gravity.</li> <li>(2) By the consignor and/or consignee as follows: <ol style="list-style-type: none"> <li>(a) With power equipment as described in Item No. 10, or</li> <li>(b) When the carrier's equipment is a trailer or semi-trailer left for loading and/or unloading without the presence of carrier's employees.</li> </ol> </li> <li>(3) Provided that on shipments described under subparagraphs (1) and (2) above the Shipping Document (Freight Bill) issued pursuant to Item No. 255 indicates that the shipment was loaded and/or unloaded under one of the circumstances described in subparagraphs (1) and (2) above.</li> </ol> </li> </ol>

\*240- P  
Cancels  
240- 0

NOTE 2.—When shipments consisting in whole or in part of Oil, Water or Gas Well Outfits and supplies, and other Articles, as described in Item No. 365, moving between points located in Los Angeles and Orange Counties on the one hand and points located in California, Salinas, Fresno and south thereof, on the other hand, are transported:

(a) Under the provisions of Item No. 200, a charge of  $3\frac{1}{2}$  cents per 100 pounds shall be added for loading, and a charge of  $3\frac{1}{2}$  cents per 100 pounds shall be added for unloading;

(b) Under the provisions of Paragraph (a) of Item No. 210, a charge of  $3\frac{1}{2}$  cents per 100 pounds shall be added for unloading;

(c) Under the provisions of Paragraph (b) of Item No. 210, a charge of  $3\frac{1}{2}$  cents per 100 pounds shall be added for loading; or

(d) Under the provisions of Paragraph (c) of Item No. 210, no additional charge shall be added for loading or unloading.

NOTE 4.—When shipments consisting in whole or in part of Liquors, alcoholic, N.O.I.B.N., as described under that heading in the Western Classification, moving between San Francisco Territory and Los Angeles Territory are transported:

(a) Under the provisions of Item No. 200 a charge of 3 cents per 100 pounds shall be added for loading, and a charge of  $2\frac{1}{2}$  cents per 100 pounds for unloading.

(b) Under the provisions of Paragraph (a) of Item No. 210, a charge of  $2\frac{1}{2}$  cents per 100 pounds shall be added for unloading;

(c) Under the provisions of Paragraph (b) of Item No. 210, a charge of 3 cents per 100 pounds shall be added for loading; or

(d) Under the provisions of Paragraph (c) of Item No. 210, no additional charge shall be added for loading or unloading.

NOTE 5.—For loading or unloading of Cement, Portland (building), a charge of  $2\frac{1}{2}$  cents per 100 pounds shall be added.

NOTE 6.—For pickup or delivery service at a point not at street level and where the minimum weight is less than 10,000 pounds, the loading or unloading provisions of this item will not apply and the additional charge provided in Item No. 120 will apply.

\* Change )  
# Addition ) Decision No. 60357  
o Reduction)

EFFECTIVE AUGUST 26, 1960

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

Correction No. 1046