

Decision No. 64082

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 carriers relating to the)
transportation of motor vehicles and)
related items (commodities for which)
rates are provided in Minimum Rate)
Tariff No. 12).)

Case No. 5604

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 64071, entered today in Case No. 5432, et al., the Commission found that the tariff definition of "common carrier rate" in Minimum Rate Tariff No. 2 and eleven other minimum rate tariffs should be amended to embrace certain interstate or foreign rates of common carrier railroads.

The aforesaid decision also found that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 12 should be amended by separate order.

Good cause appearing,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 12 (Appendix "A" of Decision No. 50218, as amended) is hereby further amended by incorporating therein, to become effective September 15, 1962, Second Revised Page 4 attached hereto and by this reference made a part hereof.

2. Tariff publications authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this order,

and may be made effective on not less than ten 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.

In all other respects the aforesaid Decision No. 50218, 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 7th day of August, 1962.

George G. Grover
President

John P. ...

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Fredrick B. ...
Commissioners

SECTION NO. 1 - RULES AND REGULATIONS	Item No.
DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 15)	
<p>(a) CARRIER means a carrier as defined in the City Carriers' Act, or a radial highway common carrier or highway contract carrier, as defined in the Highway Carriers' Act.</p>	
<p>(b) CARRIERS' EQUIPMENT means any motor truck, tractor, or other self-propelled highway vehicle, used for the transportation of property over the public highways and any other vehicle drawn thereby.</p>	
<p>(c) COMMISSION means the Public Utilities Commission of the State of California.</p>	
<p>(d) COMMON CARRIER RATE means any intrastate 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 for transportation by land; any interstate rate or rates of any common carrier railroad or railroads applying between points in California by an interstate or foreign route, lawfully in effect at time of shipment; * also any interstate or foreign rate of any common carrier railroad or railroads applying between points in California in effect at time of shipment and covering transportation exempt from rate regulation of the Interstate Commerce Commission under Section 203(b) (8) of Part II of the Interstate Commerce Act.</p>	
<p>(e) DISTANCE TABLE means Distance Table No. 4 issued by the Commission.</p>	
<p>(f) ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p>	10
<p>(g) 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>(h) MOTOR VEHICLE means any self-propelled vehicle designed for the transportation of persons or property or persons and property (other than upon fixed rails or tracks), whether or not in operating condition, including any such vehicle without one or more parts which may have been damaged, removed, broken off or torn away; also any auto show motor vehicle with one or more integral parts useful for exhibit purposes only.</p>	
<p>(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. 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>	

(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. 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.

(k) RAILHEAD means a railroad or industrial facility from or to which common carrier railroad rates apply for the transportation of motor vehicles.

(l) RATE includes charge and, also, the rules and regulations governing and the accessorial charges applying in connection therewith.

(m) 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.

* (Continued in Item No. 15)

∫ Change } Decision No. 64082
* Addition }

EFFECTIVE SEPTEMBER 15, 1962

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

Correction No. 28