

**ORIGINAL**

64413

Decision No. \_\_\_\_\_

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 sand, rock, )  
gravel, and related items (commodi- )  
ties for which rates are provided )  
in Minimum Rate Tariff No. 7). )

Case No. 5437  
(Petitions for Modification  
Nos. 51 and 53)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 60698, dated September 6, 1960, would have exempted from Minimum Rate Tariff No. 7 certain rates for the transportation of excavated material or imported borrow to, from or within a public works construction project of general contractors awarded on an open competitive bid. The order was suspended by the timely filing of petitions for rehearing; and the pertinent tariff pages were therefore suspended by Decision No. 60822, dated October 4, 1960.

By Decision No. 63917, dated July 10, 1962, the Commission found upon rehearing that the exemption set forth in Decision No. 60698, supra, would not be in the public interest and denied Petitions for Modification Nos. 51 and 53. A petition for rehearing of said Decision No. 63917, filed by Northern and Central California Chapter, Associated General Contractors of America, Inc., was denied on September 20, 1962. As information to the carriers and other parties affected, the following order will remove the suspended material from the tariff.

Good cause appearing,

IT IS ORDERED that Supplement No. 18, Second Revised Page 3-B and Ninth Revised Page 4, which supplement and pages are attached hereto and by this reference made a part hereof, are hereby incorporated into Minimum Rate Tariff No. 7 (Appendix "A" of Decision No. 32566, as amended).

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 16th day of October, 1962.

George H. Hoover  
President  
Charles S. Mitchell  
James J. [unclear]  
Everett H. [unclear]  
Fredrick B. Halboff  
Commissioners

CANCELLATION SUPPLEMENT

SUPPLEMENT NO. 18

(Cancels Supplements Nos. 15, 16 and 17)

(Supplement No. 18 Contains All Changes)

TO

MINIMUM RATE TARIFF NO. 7

NAMING

MINIMUM RATES, RULES AND REGULATIONS

FOR THE

TRANSPORTATION OF PROPERTY IN DUMP

TRUCK EQUIPMENT BETWEEN POINTS IN

CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND

CITY CARRIERS

Decision No.

64413

EFFECTIVE OCTOBER 16, 1962

Issued by the  
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
State Building, Civic Center  
San Francisco, California

(1) Second Revised Page .... 3-B  
 Cancels  
 (2) First Revised Page ..... 3-B  
 and  
 Original Page ..... 3-B

MINIMUM RATE TARIFF NO. 7

Item No.	SECTION NO. 1 - RULES AND REGULATIONS
11	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS            (Items Nos. 10 and 11)</p> <p>(p) ENGAGEMENT means the employment at hourly rates of one (or more) unit(s) of dump truck equipment with operator by one shipper or overlying carrier on one shipping document.</p> <p>(q) BATCHING PLANT means a fixed installation for the mixing of concrete by mechanical means.</p> <p>(r) CONCRETE ARTICLE FACTORY means a fixed installation for the manufacture of articles from concrete mechanically mixed on the premises.</p> <p>(s) HOT PLANT means a fixed installation for the heating of road oil or asphalt and the mixing of such heated oil or asphalt with rock, sand and any other ingredients to produce cold road oil mixture ("plant mix") or asphaltic concrete ("hot stuff").</p> <p>(t) SEWAGE DISPOSAL PLANT means a fixed installation in which filtering rock is used for getting rid of sewage.</p> <p>(u) DISTRIBUTING YARD means an area for storage of rock, sand, gravel, or cold road oil mixture (commonly called "plant mix") in piles, bins, silos or bunkers.</p> <p>(v) DEBTOR means the person assuming responsibility for payment of transportation charges. It also includes an overlying carrier when he utilizes the services of an underlying carrier.</p> <p>(w) UNIT OF EQUIPMENT means a truck, a truck and trailer, a tractor and semitrailer, or any combination of the foregoing operated in a train.</p>
	<p>(1) No change; suspended matter removed from page, Decision No. 64413            (2) First Revised Page 3-B was suspended by Supplement No. 15.</p>
EFFECTIVE OCTOBER 16, 1962	
<p style="text-align: right;">Issued by the Public Utilities Commission of the State of California,            San Francisco, California.</p> <p>Correction No. 953</p>	

(1) Ninth Revised Page .... 4

    Cancels

(2) Eighth Revised Page ... 4

    And

    Seventh Revised Page .. 4

MINIMUM RATE TARIFF NO. 7

Item No.	SECTION NO. 1 - RULES AND REGULATIONS (Continued)
20	<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, and the City Carriers' Act. They apply for transportation of property by radial highway common carriers and highway contract carriers, as defined in said Highway Carriers' Act, and by carriers as defined in said City Carriers' Act, in bulk in dump truck equipment.</p> <p>Except as otherwise provided in Items Nos. 45, 93 and 94 rates, rules and regulations named in this tariff shall not apply to transportation by underlying carriers (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 underlying carriers are performing transportation service.</p>
25	<p style="text-align: center;">APPLICATION OF TARIFF-GENERAL</p> <p>Rates in this tariff 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>
30	<p style="text-align: center;">APPLICATION OF TARIFF-TERRITORIAL</p> <p>Rates in this tariff apply for transportation between all points within the State of California.</p>
35	<p style="text-align: center;">REFERENCES TO ITEMS AND OTHER TARIFFS</p> <p>Unless otherwise provided, references herein to item numbers in this 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;">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates named herein shall be the actual mileages traversed, including any detour to and from scales to obtain weight of shipment.</p>
<p>(1) No change; suspended matter removed from page. Decision No. <b>64413</b></p> <p>(2) Eighth Revised Page 4 was suspended by Supplement No. 15.</p>	
<p>EFFECTIVE OCTOBER 16, 1962</p>	
<p style="text-align: center;">Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 954</p>	