

Decision No. 65077

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)	Case No. 5439
of all common carriers, highway car-)	(Order Setting Hearing dated
riers and city carriers relating to)	April 24, 1962, as amended
the transportation of property with-)	by Order Setting Hearing
in San Diego County (transportation)	dated June 12, 1962)
for which rates are provided in)	
Minimum Rate Tariff No. 9-A).)	

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 65072, entered today in Case No. 5432, et al., the Commission established Minimum Rate Tariff No. 15 naming minimum yearly, monthly and weekly vehicle unit rates, rules and regulations and found that certain vehicle unit rates, rules and regulations set forth in other current minimum rate tariffs should be canceled by separate orders in the respective minimum rate proceedings. Accordingly, the order which follows will appropriately amend Minimum Rate Tariff No. 9-A and Classification No. 1.

Good cause appearing,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 9-A (Appendix "B" of Decision No. 55256, as amended) is hereby further amended by incorporating therein, to become effective May 1, 1963, the revised pages attached hereto and listed in Appendix A also attached hereto and by this reference made a part hereof.

2. Classification No. 1 (Appendix "C" of Decision No. 55256, as amended) is hereby further amended by incorporating therein, to become effective May 1, 1963, the revised page attached hereto and listed in Appendix A also attached hereto and by this reference made a part hereof.


3. Tariff publications required 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 on not less than ten days' notice to the Commission and to the public, and that such required tariff publications shall be made effective not later than May 1, 1963.

4. Tariff publications which are authorized but not required 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 pages incorporated in this order.


5. In all other respects the aforesaid Decision No. 55256, as amended, shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

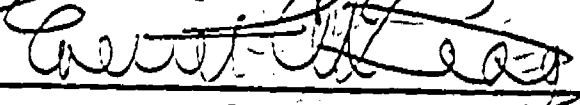
Dated at San Francisco, California, this 17th day of March, 1963.



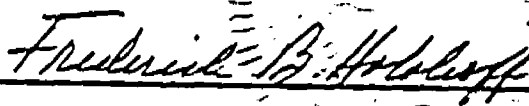
President



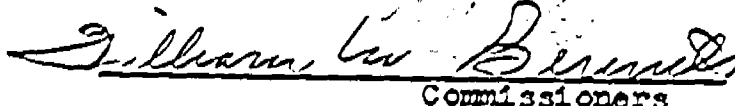
Commissioner



Commissioner



Commissioner



Commissioners

Appendix A to Decision No. 65077

List of Revised Pages to Minimum Rate Tariff No. 9-A
and Classification No. 1

Authorized by said Decision

Minimum Rate Tariff No. 9-A:

Third Revised Page 2

Sixth Revised Page 27

First Revised Page 28

Second Revised Page 29

Seventh Revised Page 31

Classification No. 1:

Third Revised Page 38

(END OF APPENDIX A LIST)

ARRANGEMENT OF TARIFF

This is a loose-leaf tariff arranged as follows:

- SECTION NO. 1 - Rules and Regulations
- SECTION NO. 2 - Rate Bases and Class Rates
- SECTION NO. 3 - Equipment Rates, Rules and Regulations

TABLE OF CONTENTS	Item Number Except As Shown
Correction Number Checking Sheet -----	Page 1
Charges in Cents per Shipment -----	320, 325 and 327
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Change, Decision No. 65077

EFFECTIVE MAY 1, 1963

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

Correction No. 80

SECTION NO. 3 - EQUIPMENT RATES, RULES
AND REGULATIONSItem
No.

RULES AND REGULATIONS

(a) Rates named in this section are subject to Item No. 10, Definition of Technical Terms; Item No. 20, Application of Tariff; Items Nos. 30 through 38, Application of Tariff - Territorial; Items Nos. 50 and 60, Application of Tariff - Commodities; Item No. 120, Charges for Escort Service; Item No. 125, Charges for Permit Shipments; Item No. 170, Collect on Delivery (C.O.D.) Shipments; and Item No. 190, Collection of Charges. They are not subject to the other rules and regulations provided in Section No. 1.

(b) Rates named in this section are subject to the following rules of the Current Classification: Item No. 130, Disposition of Fractions in Computing Rates; Item No. 160, Reference to Rules, Items, Notes and Pages; Items Nos. 190 and 195, Issuance of Shipping Documents; Item No. 200, Quotation and Assessment of Rates and Charges; and Items Nos. 210 and 215, Definitions of Technical Terms. They are not subject to the other rules of the Current Classification.

p400

(c) Rates named in this section apply only when the property is transported by one carrier for one shipper.

§(d) 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. (See Item No. 415.) Except as herein provided, no single agreement shall cover shipments transported over a period in excess of 31 days. EXCEPTION: The agreement will not be necessary for transportation of overweight and/or over-size shipments for which a special permit has been issued pursuant to the provisions of Section No. 710 of the Vehicle Code, State of California, and attached to or identified on the shipping document.

§(e) Rates named in Item No. 420 are subject to an additional charge at the rate of \$4.70 per man, per hour, minimum charge one-half hour, when carrier furnishes help in addition to the driver. The time for computing the additional charge shall be not less than the actual time in minutes the helper or helpers are engaged in performing the services. The total time so computed shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the table provided in Note 1(c), Item No. 420.

(Continued in Item No. 405)

p Change, Decision No. 65077

EFFECTIVE MAY 1, 1963

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San Francisco, California.

Correction No. 81

SECTION NO. 3 - EQUIPMENT RATES, RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">RULES AND REGULATIONS (Concluded)</p> <p>§(f) When carrier's equipment is painted, lettered or marked, or when special equipment or accessories are furnished by the carrier, in connection with transportation which is performed subject to the rates named in Item No. 420, ** a charge not less than the cost of painting, lettering or marking or the costs applicable to the use of the special equipment or accessories shall be made.</p> <p>***</p>	405
<p style="text-align: center;">EQUIPMENT LIST</p> <p>§(a) A list of carrier's equipment, as defined in Items Nos. 210 and 215 of the Current Classification, used in the transportation under rates in Item No. 420, ** shall be compiled by each carrier. Each unit of carrier's equipment shall be identified by number or other means and the list shall show the normal carrying capacity thereof.</p> <p>(b) The normal carrying capacity of each vehicle unit shall be determined by the carrier based upon that amount of property in pounds, which physically can be loaded therein and safely transported under normal conditions.</p> <p>(c) The equipment list shall be filed in triplicate with the Commission and an exact copy thereof shall be kept open for public inspection by the carrier. When, subsequent to the filing of the list, equipment is placed in or withdrawn from service, or its carrying capacity is changed by alteration of the equipment, the carrier shall amend its equipment list to show the change and the date it is made. An amendment to the equipment list shall be filed with the Commission not later than ten days subsequent to the date of change.</p> <p>§(d) Each shipping document issued in connection with transportation under Item No. 420 ** shall, in addition to other requirements, identify the equipment used and show the carrying capacity of each vehicle employed.</p>	410
<p>§ Change) ** Reference to Item No. 430 eliminated) Decision No. 65077 *** Paragraph (g) eliminated)</p>	
<p>EFFECTIVE MAY 1, 1963</p>	
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 82</p>	

SECTION NO. 3 - EQUIPMENT RATES, RULES AND REGULATIONS (Continued)	Item No.
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WRITTEN AGREEMENT

The written agreement may be completed prior to delivery of any property thereunder. The agreement should show:

- (a) Date transportation service is to commence and period.
- (b) Identification of each piece of equipment either by license number or otherwise.
- (c) Capacity of equipment as shown on equipment list filed with the Commission.
- **
- (e) Base rate.
- **
- **
- (h) Rate per hour for service in excess of 8 hours out of each 9 consecutive hours per day.
- (i) Duration of the written agreement and a clause therein that the agreement is canceled if charges are not collected as provided in Item No. 190.
- (j) The agreement shall be in substantially the following form, and the original or a copy thereof shall be retained and preserved by the carriers, subject to Commission inspection, for a period of not less than three years from the date of its issuance.

§415

<p style="text-align: right;">Date _____</p> <p>In accordance with the provisions of Section No. 3 of Minimum Rate Tariff No. 9-A, I hereby elect to have _____ (Identify Transaction) transported by _____ under the rates and provisions (Name of Carrier) of Item No. _____ of said tariff, subject to the following terms:</p> <p>Period of Agreement _____</p> <p>Capacity of Equipment _____ pounds</p> <p>Identification of Equipment _____</p> <p>Base Rate \$ _____</p> <p>Rate per hour for excessive hours _____</p> <p>Shipper _____ By _____ (Name in Full) (Name in Full)</p> <p>Confirmed: Carrier _____ By _____ (Name in Full)</p> <p>NOTE.-This agreement is canceled if the charges are not collected as provided for in Item No. 190 of Minimum Rate Tariff No. 9-A.</p>	
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Change)
** Paragraphs (d), (f) and) Decision No. 65077
(g) eliminated)

EFFECTIVE MAY 1, 1963

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 83

SECTION NO. 3 - EQUIPMENT RATES, RULES AND REGULATIONS (Concluded)	Item No.
<p style="text-align: center;">Item canceled. Weekly and monthly equipment rates, rules and regulations transferred to Minimum Rate Tariff No. 15.</p>	430
END OF TARIFF MAY 1, 1963	
<p>Change, Decision No. 65077</p>	
EFFECTIVE	
<p>Issued by the Public Utilities Commission of the State of California; San Francisco, California. Correction No. 84</p>	

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENTS (Concluded) (Items Nos. 190 and 195)</p> <p>2. When transportation of property is performed under parcel rates, a freight bill or an invoice of charges shall be issued by the carrier to the shipper for a transaction period not to exceed 31 days. The document shall show the following information:</p> <ul style="list-style-type: none"> (a) Date of issuance. (b) Name and address of the shipper. (c) Point of origin of all shipments. (d) Point of destination or area in which shipments were delivered, e.g., San Diego Drayage Area. (e) For each day during the transaction period the number of parcels and the weight thereof transported for the shipper (or, where a weekly service charge is applicable under the provisions of Item No. 310 of Minimum Rate Tariff No. 9-A, for each week). (f) The charges assessed for each day in which transportation was performed during the transaction period (or, where a weekly service charge is applicable under the provisions of Item No. 310 of Minimum Rate Tariff No. 9-A, for each week). <p>3. When transportation is performed under vehicle equipment rates, a freight bill or an invoice of charges shall be issued by the carrier to the shipper for transportation performed for a transaction period not to exceed 31 days. The document shall show the following information:</p> <ul style="list-style-type: none"> (a) Name and address of the shipper. (b) The transaction period provided for in the written agreement providing for transportation under vehicle equipment rates. (See Note 1.) (c) Base rate (excluding Saturdays, Sundays and holidays, etc.). (d) Charges due at the base rate. ** ** (h) Number of hours in excess of 8 hours per day as described in governing tariff. (i) Charges due, if any, for operation in excess of 8 hours per day. (j) 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 all other information required to be shown thereon: 	<p style="text-align: right;">195</p>

- (1) Permit identification of all permit shipments. (See Item No. 210)
- (2) Any escort service furnished and the authority therefor. (See Item No. 210)

NOTE 1. -- When the governing tariff authorizes vehicle equipment rates to be assessed in the absence of a written agreement under particular circumstances, the particular circumstances relied upon by the carrier for the assessing of the vehicle equipment rates shall be shown on the document.

4. A copy of each freight bill and all underlying shipping documents, including shipping orders, manifests, agreements for transportation services, hand tags and weight certificates, shall be retained and preserved at a place in the State of California, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.

∅ Change
** Paragraphs (e), (f) and (g) eliminated } Decision No. 65077

EFFECTIVE MAY 1, 1963

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San Francisco, California
Correction No. 25