

**ORIGINAL**

Decision No. 65489

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 fresh or green )  
fruits and vegetables and related )  
items (commodities for which rates )  
are provided in Minimum Rate Tariff )  
No. 8).

Case No. 5438

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 65482, 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 twelve other minimum rate tariffs should be amended to embrace certain interstate or foreign rates of highway common carriers.

The aforesaid decision also found that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 8 should be amended by separate order.

Good cause appearing,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 8 (Appendix "C" of Decision No. 33977, as amended) is hereby further amended by incorporating therein, to become effective July 20, 1963, Ninth 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.

3. In all other respects the aforesaid Decision No. 33977, 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 27th day of May, 1963.

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.

[Signature]  
President

[Signature] Acting President

Frederick B. Hallock

[Signature]

Commissioner [Signature] being necessarily absent, did not participate in the disposition of this proceeding.

Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION
	<p data-bbox="582 445 1137 510">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11)</p> <p data-bbox="338 575 1465 671">(a) BUNKER ICING means placing ice in bunkers or compartments in carrier's equipment, separate or apart from the cargo area thereof.</p> <p data-bbox="338 705 1487 835">(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="338 869 1487 1322">ø (c) COMMON CARRIER RATE means any intrastate rate 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; any interstate or foreign 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 or rates of any common carrier or common carriers, as defined in the Public Utilities Act, applying between points in California and in effect at time of shipment and covering transportation exempt from rate regulation of the Interstate Commerce Commission under Section 203(b)(6) or Section 203(b)(8) of Part II of the Interstate Commerce Act.</p> <p data-bbox="338 1356 1487 1421">(ca) CONTAINER ICING means placing ice within the package with the fruit or vegetable shipped.</p> <p data-bbox="386 1455 1294 1494">(cb) DISTANCE TABLE means Distance Table No. 4.</p> <p data-bbox="338 1528 1487 1624">(cc) DEBTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee, or other party.</p> <p data-bbox="338 1658 1453 1755">(d) ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p data-bbox="338 1788 1453 1945">(da) 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="338 1979 1487 2044">(e) PICKUP AND DELIVERY CHARGE means the full charge applicable without the deduction authorized by Item No. 120.</p> <p data-bbox="338 2077 1453 2208">(f) POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent. (See also Item No. 120, paragraph 2.)</p>

(g) 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; except that all locations on or along a single packing or shipping shed, and all locations within a radius of 100 yards from a single point, within a single field will be considered as one point of origin.

(ga) POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including electric powered cranes and lift-truck equipment.

(h) RAILHEAD means a point at which facilities are maintained for the loading of property into or upon, or the unloading of property from, rail cars or vessels. It also includes truck loading facilities of plants or industries located at such rail or vessel loading or unloading point.

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

(j) 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.

(Continued in Item No. 11)

Change, Decision No. 65489

EFFECTIVE JULY 20, 1963

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

Correction No. 326