

ORIGINAL

Decision No. 65491

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 car-)
riers and city carriers relating to)
the transportation of cement and)
related products (commodities for)
which rates are provided in Minimum)
Rate Tariff No. 10).)

Case No. 5440

SUPPLEMENTAL OPINION AND ORDER

65482

By Decision No. _____, 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. 10 should be amended by separate order.

Good cause appearing,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 10 (Appendix "A" of Decision No. 44633, as amended) is hereby further amended by incorporating therein, to become effective July 20, 1963, Sixth 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. 44633, 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 29th day of May, 1963.

John E. Mitchell President
John E. Mitchell Acting President
Frederick B. Hallock
William M. Bennett
Commissioners

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

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION NO. 1 - RULES AND REGULATIONS	Item No.
DEFINITIONS	
<p>(a) CARRIER means a carrier, as defined in the City Carriers' Act, or a radial highway common carrier or a highway contract carrier, as defined in the Highway Carriers' Act.</p>	
<p>(b) COMMISSION means the Public Utilities Commission of the State of California.</p>	
<p>(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 rate 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)(2) of Part II of the Interstate Commerce Act.</p>	
<p>(d) DISTANCE TABLE means Distance Table No. 4, amendments thereto, or reissues thereof.</p>	
<p>(e) EXCEPTION SHEET means Exception Sheet 1-6, Pacific Southcoast Freight Bureau, Agent, and supplements thereto or reissues thereof when the provisions of such supplements or reissues have been approved by the Commission.</p>	10
<p>(f) 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>(g) MOTOR VEHICLE means any motor truck, tractor or other self-propelled highway vehicle used for transportation of property over the public highways, and any trailer, semi-trailer, dolly or other vehicle drawn thereby.</p>	
<p>(h) PALLETS means second-hand (used) pallets as described in and subject to the provisions of Item No. 300 of the Exception Sheet. It also means pallets which are returned or shipped in exchange for identical pallets.</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, except that (1) all locations within a radius of 50 feet from a single point, and (2) all locations on the property of a single consignee within a radius of 300 feet from a single point will be considered as one point of destination.</p>	
<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, except that (1) all locations within a radius of 50 feet from a single point, and (2) all locations on the property of a single consignor within a radius of 300 feet from a single point will be considered as one point of origin.</p>	

(k) POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including, without limitation, conveyor belts, electric powered cranes and lift truck equipment.

(l) 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.

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

(n) 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.

(o) SHIPMENT means a quantity of property tendered for transportation to one carrier at one time on one shipping document by:

- (1) one shipper at one point of origin for one consignee at one point of destination; or
- (2) one shipper at one point of origin for one consignee at more than one point of destination, or for more than one consignee at one or more points of destination (split delivery).

(p) UNIT OF EQUIPMENT means one or more motor vehicles (as herein defined) physically connected so as to form a complete unit.

Change, Decision No.

65491

EFFECTIVE JULY 20, 1963

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

Correction No. 38