

**ORIGINAL**

65795

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 property in Los Angeles and Orange Counties (transportation for which rates are provided in Minimum Rate Tariff No. 5).

Case No. 5435  
(Petition for Modification  
No. 40)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 65794, entered today, the Commission exempted transportation performed by means of armored highway vehicles from the provisions of Minimum Rate Tariff No. 2 and of four other minimum rate tariffs. That decision also found that, in order to avoid duplication of tariff distribution, each tariff should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 5 (Appendix "A" of Decision No. 32504, as amended) is further amended by incorporating therein, to become effective September 21, 1963, Tenth Revised Page 7 and Twenty-third Revised Page 13, which pages are attached hereto and by this reference are 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 pages incorporated in this order.

3. In all other respects said Decision No. 32504, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 30<sup>th</sup> day of JULY, 1963.

William B. Beaudry  
President

George J. Hoover

Frederick B. Haliloff  
Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION
6 10	<p data-bbox="662 432 1219 502">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11)</p> <p data-bbox="322 531 1470 661">*ARMORED CAR means any motor truck and/or other highway vehicle which has been armored with bullet resistant metal and/or bullet proof glass, and which is manned by an armed crew.</p> <p data-bbox="322 692 1494 796">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 data-bbox="322 825 1487 929">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="322 958 1494 1312">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; 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="322 1343 1479 1447">ESCORT SERVICE means the furnishing of pilot cars or vehicles by a carrier as may be required by any governmental agency to accompany a shipment for highway safety.</p> <p data-bbox="322 1476 1494 1643">EXCEPTION SHEET means Pacific Southcoast Freight Bureau Exception Sheet No. 1-S, Cal.P.U.C. No. 193 of J. P. Haynes, Agent, and supplements thereto or reissues thereof when the provisions of said supplements or reissues have been approved by the Commission.</p> <p data-bbox="322 1674 1479 1778">HOLIDAYS mean New Year's Day, Washington's Birthday, Decoration Day, Fourth of July, Labor Day, Thanksgiving Day, December 24 and Christmas Day.</p> <p data-bbox="322 1807 1479 1973">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="322 2005 1444 2171">PERMIT SHIPMENT means a shipment which because of its width, length, height, weight or size requires special authority from a governmental agency regulating the use of highways, roads or streets for the transportation of such shipment in whole or in part.</p>

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.

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.

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

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.

SHIPMENT means a quantity of freight tendered by one shipper on one shipping document at one point of origin at one time for one consignee at one point of destination.  
(See also Split Delivery Shipment.)

(Continued in Item No. 11)

o Change )  
\* Addition ) Decision No. 65795

EFFECTIVE SEPTEMBER 21, 1963

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 342

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES (Items Nos. 40 and 41)</p> <p>Rates in this tariff apply for the transportation of all commodities except the following:</p> <p>Accessories and Supplies, motion picture,</p> <p>Automobiles, Automobile parts, accessories, and related articles in secondary movement by truckaway service when subject to the rates, rules and regulations set forth in Minimum Rate Tariff No. 12.</p> <p>Baggage, viz.: personal baggage and baggage containing sample merchandise, transported from or to a depot, dock or other point where passengers are discharged or received by common carriers,</p> <p>Buttermilk, in milk shipping cans or in bottles in cases or crates,</p> <p>Carriers (used packages), empty, returning from an outbound paying load, or being forwarded for a return paying load of traffic for which rates are not provided in this tariff (Subject to Rule No. 180 of the Exception Sheet),</p> <p>Cement, hydraulic, masonry, natural or Portland - also lime, common (including magnesium lime, hydrated or hydraulic lime, quick or slaked), cement flue dust, and/or limestone, powdered, shipped in mixed shipments with cement - when transported in shipments of 40,000 pounds or more, or when transported in shipments of lesser weights subject to the rates, rules and regulations, including the minimum charge computed on a minimum weight of 40,000 pounds, which are set forth in Minimum Rate Tariff No. 10,</p> <p>Cement, Portland (building), when transported in bulk,</p> <p>*Commodities when transported in an armored car operated under permit from the Commissioner of the California Highway Patrol,</p> <p>Commodities weighing 100 pounds or less per package or per piece, delivered from retail stores,</p> <p>Commodities transported in bulk in tank trucks, tank trailers, tank semi-trailers, or a combination of such highway vehicles,</p> <p>Commodities picked up or delivered for common carriers as defined in the Public Utilities Act, or for radial highway common or highway contract carriers as defined in the Highway Carriers' Act, when the property is in the custody of such carriers for transportation from or to points not included in the zones described in Items Nos. 30, 31, 32 and 33, under rates which include pickup or delivery at points within the said zones.</p> <p>Commodities when transported in dump trucks, for which rates are provided in Minimum Rate Tariff No. 7,</p>

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Commodities which consist of or contain materials essential to National Defense and which have been donated to and are transported for the United States Government, governmental agencies, or nonprofit organizations acting for or in behalf of said government in the collection, assembly or transportation of said commodities in connection with the recovery of said essential materials from the commodities transported.

Commodities which have been sold at retail by a retail merchant, and transported from a retail store or retail store warehouse to residences of retail customers, or transported from residences of retail customers to retail stores or retail store warehouses, and such transportation is performed in vehicles in the exclusive use of the retailer and providing no shipment exceeds 2,000 pounds in weight. Further, that the merchandise is for the use or consumption of retail customers and is not for use in the furtherance of an industrial or commercial enterprise; and provided that the retailer shall certify on the shipping document for each delivery that the merchandise was sold at retail to a retail customer,

Concrete transported in motor vehicles equipped for mechanical mixing in transit,

Cream, in milk shipping cans or in bottles in cases or crates,

Directories, telephone,

Fertilizers, as described in Items Nos. 535, 540 and 550 of the Exception Sheet,

Film, motion picture,

Fruit, fresh or green (not cold pack nor frozen),

Furniture, household appliances and other home furnishings, transported from retail stores where they have been sold at retail by a retail merchant, or transported from retail customers to retail stores.

(Continued in Item No. 41)

o Change        )  
\* Addition     ) Decision No.  
o Reduction    )

55795

EFFECTIVE SEPTEMBER 21, 1963

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

Correction No. 343